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NETAJI SPEAKS

THE CABINET MISSION, 1946.

THE CONSTITUENT ASSEMBLY.

THE PROBLEM OF INDIA (*In Press*).

INDIA'S STRUGGLE

By

A B RAJPUT, M A



1946

LION PRESS - LAHORE

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*" Slaves lose everything in their chains,
even the desire of escaping from them
they love their servitude, as the
Comrades of Ulysses loved their
brutish condition If then there are
slaves by nature, it is because there
have been slaves against nature,
Force made the first slaves and their
cowardice perpetuated the condition "*

—ROUSSEAU

To

THE CHERISHED MEMORY OF
THOSE YOUNG MEN AND WOMEN
OF MY COUNTRY
FOR WHOM THE LAURELS FELL
IN THE FIGHT FOR INDIA'S FREEDOM



*" I sometimes think that never blows so red
The Rose as where some buried Cæsar bled .*

*That every hyacinth the garden wears
Dropt in its lap from some once lovely head . '*

PREFACE

I met him one afternoon in the Archaeological Library in New Delhi. One feels a peculiar sensation in a place like that. Among the pyramids of books you actually find living moving and talking to you the sages and seers, the saints and scholars, and the soldiers and sovereigns of the hoary past.

"What an astonishing past did India have!" I happened to remark while glancing over the pages of Sir John Marshall's monumental work on Mohenjo-Daro.

"Of course", said he, "and more so, because during all these six thousand or even more years her culture and civilization underwent a continuous state of progress."

"But Panditji," I replied, "is it not true that her civilization and culture were greatly affected and changed by her constant and intimate contact with foreign elements like the Sumerians, Arabs, Egyptians, Chinese, Greeks, Romans, Persians, Turks, Tartars, and Mongols?"

"Yes she *was* influenced by them, no doubt, but she progressed all through those times." He said.

"That's interesting", I remarked, "but what's the secret of her such an enduring stability?"

"Well, my friend," he said, "it is evident that the secret of such a strength lies in the Indian nation

which has remained conscious of her culture and freedom during all these six thousand years that we can trace her history."

"But," I replied, "she remained under foreign yoke for many centuries. Was not, then, her culture and freedom crushed under the alien rule?"

"No, my friend," he replied, "her culture and freedom were never crushed. India, like any other conscious and living nation, always fought to preserve her culture and freedom during all these long centuries, and succeeded through the splendid sweep of time in perpetuating the honour of an unceasing cultural progress and an unending struggle for the preservation of the noble heritage of freedom. The glow of freedom ever remained within Indians; they lived with it and they died for it passing it on to their sons, and their sons again passed it on to their sons till it reached you and me."

A tingling sensation stirred within me. I felt as if a sudden spark had lit up my mind. I had always taken Indians as a nation suppressed and crushed under the heels of the foreigner,—a nation of slaves having totally lost all significance of freedom and liberty. It came to me then that during all that colourful and lengthy pageant of history, India had never for a single moment forgotten that noble ideal of freedom. She had, since the very dim past, been conscious of that noble ideal, and had ever through the ages, lived for it, preserved it with her might and sanctified it with her blood.

I returned home with these ideas almost overwhelming me. I put to pen all what I had in my mind then, and the following pages was the result.

PREFACE

I hope to find my friend again some day within the pyramids of books somewhere in some city when I will lay down at his feet this story of a living nation, but in the meantime, let us journey through this account of the ups and downs of the fortunes of our nation, ever alive and ever struggling, for in the words of Walt Whitman— 'it is provided in the essence of things that from any fruition of success, no matter what, shall come forth something to make a greater struggle necessary ', and India has always proved too true to that maxim.

Amritsar, October, 1916

A. B. RAJPUT.

IMPORTANT NOTE

The book contains an account of India's struggle from 4,000 B C to the end of 1946 A D on the following broad lines

- (1) The Indus Valley Fight
- (2) India's Fight with Alexander
- (3) Fight against other Foreign Invaders to the Downfall of the Moghals
- (4) The Arrival of the Western Nations
- (5) The Main Reasons of the British Domination
- (6) India's Great Revolt of 1857
- (7) The Rise of the National forces in India
- (8) The American, the French and the English Revolutions, and India as basis for the Declaration of the Rights of Man
- (9) The Declaration of Complete Independence.
- (10) The Congress and the Muslim League their aims and progress
- (11) The Declaration of the Azad Hind Government.
- (12) The Rise and Fall of the I N A
- (13) The Crisis of a Revolution in India the R I N. Ratings Mutiny in Bombay, the Strike of

INDIA'S STRUGGLE

Delhi Policemen and the Strikes of the Postal and Railway employees

(14) Recent Developments towards Indian Independence

- (i) The Lahore Resolution of the League
- (ii) The Cripps Mission Proposals
- (iii) The Rajaji Formula.
- (iv) The Sipru Committee Proposals
- (v) The Wavell Plan

(15) The Cabinet Mission and the Freedom Talks with Indian Political Parties

(16) The Significance and Purpose of the Constituent Assembly.

(17) On Making A New India.

(18) Conclusion.

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BRIEF CHRONOLOGY

3250-2750	B C	Indus Valley Civilization
c 1400		Aryan migration into India
518-486		Political contact with Iran
326		Alexander's invasion
321		Chandragupta founded Mauryan Dynasty
200-175		The Yavana Incursions
c 90		The Scythian Invasion
c 100	A D	The Kushan Invasion
320		Chandragupta I founded the Gupta Dynasty
458-484		The Hunn Invasions
605-647		Empire of Harsha
717		Mohammad Bin Qasim's Invasion
1008-1021		Mahmud of Ghazna's Invasions
1178-1195		Mohammad Bin Sam (Mohammad Ghauri's) Invasions
1299-1307		The Mongol Invasions
1398		Timur's Invasion
1498		Vasco da Gama reaches India
1524-1525		Babur's Invasions
1556-1605		Empire of Akbar the Great Moghal
1600		East India Company formed
1758-1767		Clive, Governor of Bengal
1774-1785		Warren Hastings first Governor-General of India
1857		The Great Indian Rebellion
1885		Indian National Congress founded
1906		All-India Muslim League formed
1908		Principle of Election to Legislatures introduced
1919		Limited Degree of Responsible Government introduced in Provinces
1935		Full Responsible Government introduced in Provinces
1942		Cripps offer of Dominion Status
1946 (May)		The Cabinet Mission's Plan of a Free India
1946 (Dec)		Meeting of the Indian Constituent Assembly

THE TRUMPET-CALLS OF LIBERTY

TILL Monsoon is a periodical wind of the Indian Ocean which brings clouds, rain and fertility to the parched plains of India

Strange are the ways of the world, but stranger are those of the Monsoon, for, while Cherrapunji in the Assam gets 460 inches of rain in the year, Larkana in Sind gets hardly 3 inches during that period. Yet 1922 was perhaps a lucky year for the dry and sandy Sind where the Monsoon afforded more patches of grass to the shepherds of Larkana. Rains fell and finished, and the shepherd boys took out their herds in search of grass.

Some distance south of the town, besides the old bed of the river Indus, a boy let his sheep and goats graze. There, near the ruins of an old deserted structure, the rain had, the previous night, washed the dry acacias, the dusty bricks and the sordid stones and shreds. Thus, while the animals went up and down the place in search of the blades of grass, the boy went up and down in search of stones and shreds. Suddenly amidst the debris he stumbled over a bit of clay; he fumbled over a square shred. An animal bleated, another grinned. He took up the square shred. The Monsoon

had made history over-night,—by unearthing that insignificant bit of clay, for :

“ All things carry life and change
As we ourselves do, though in some 'tis hid
Since life is brief, and theirs of longer range ”

—*The Divine Comedy.*

That bit of clay was destined to go a very long way in the history of this land. It added twenty-seven centuries to the age of Mother India within hardly as much time as one takes to write this figure on a piece of paper.

A ‘City of the Dead’ was dug out of the debris from where the shepherd boy had found that insignificant bit of clay. It was Mohenjo-daro, the first place known to the history of India where the trumpet of liberty had been sounded some 5,000 years ago. “ The enemy shall not pass ”, was the cry on every lip, and the whole city swarmed out to stem the tide of invasion. Today its ruins bespeak how the people of that prosperous place,—men, women and children, all gave themselves up to the last soul at the trumpet-call of liberty. The walls, the rooms, the stair-cases, the streets and the bazzars of that fateful city, all resound with that trumpet call to this day.

II

Seven miles to the west of the city of Amritsar in the Punjab lies an ancient tank associated with the wanderings of the god Rama as an exile from Ayodhya. In the early part of November every year some thousands of devotees visit the place for a dip in

The sacred water of that tank. Close up to the tank is a temple built upon a mound where offerings of flowers and sweets are made after ablutions by the pilgrims.

This temple on the mound presents an unusual view amidst miles of flat plains. The area around the place is inhabited by ruddy and robust villagers whose forefathers—the Katharians—had dug out the tank, collected the earth at one spot and built the temple over it in the time of the god Rama.

The Katharians of old enjoyed the highest reputation for beauty, courage and skill in the art of war. On a dark August day they sounded the trumpet of liberty, for an enemy was approaching the soil of India. They fought the enemy of the land with an unprecedented dash and stubbornness, but the enemy proved to be very shrewd. He played one Indian against the other. He won the heart of an Indian prince with his glib tongue and added 5,000 strong to his force for winning the day against the Katharians. Thousands died on the field of battle that dark day. The enemy was highly incensed at the resolute resistance of these men. He wreaked his vengeance in a vainglorious manner. He razed their fortress to the ground and captured 70,000 of the veterans, but still he could not make a headway any further on their soil. The spirit of Katharians had lived past their heroes. The forces of the enemy—Alexander 'the Great', the greatest conqueror the world had known in those times,—suddenly lost courage to proceed any further, or to remain any longer on the land of Indians. The Victor fell a victim to the spirit of the Katharians.

The great-great-great-grand children of these noble sons of Mother-India still live in the peaceful atmosphere of the village called 'Kathanian' some seven miles west of Amritsar ; and the trumpet-calls of liberty resound to this day from the mud-walls of the place where a mighty conqueror faced a virtual defeat on a dark August day.

III

August is the month when weather gets most charming in the hills, when narcissi get brighter on the hills, when waters flow with brighter sh-en and fruits become abundant and plentiful. It is the time when an impulse stirs amongst the rough and tough hillmen to move down towards the plains with camel-loads of apples, apricots, pears, pomegranates and grapes through the zig-zags of the passes.

This has been the practice with the hillmen since time immemorial. They come first as traders, get back to their oasis and tiny hamlets, and return as invaders with their proverbial greed for the gorgeous *treasures of the plains*. Thus, wave after wave of invaders threaded down the passes of our mountains which separate this country from the rest of Asia, and ran into the fertile plains of India.

Empire after empire, dynasty after dynasty rose and fell, but the spirit of India could neither be subdued nor conquered. The first arrivals were the Dravidians who were followed by the flux of Aryans, Greeks, Scythians, Tartars, Huns and Mongols. But the flame of freedom shone bright as ever, for these

innumerable invaders could neither change our mode of thought, nor our way of life. The tides of these fierce and war-like tribes that invaded and laid waste our cities, ultimately vanished in the mighty mists of time leaving nothing behind but a few shreds of their cultures and customs.

Centuries thus rolled on, and through the splendid sweep of time, the drama of history, pulsating with life and thrilling with achievements, crescendoed to a climax of honour and fame for the noble sons of the land,—Porus, Prithviraj, Balban, Allauddin, Akbar, Shahjahan and others

But the traders continued pouring down through the deep gorges bringing in their wake the swarming hordes of invaders !

CHAPTER II

THE COUNTRY AWAKES

THE city of Delhi lies on the sacred river Jamna. It has been a seat of civilization and chivalry since time immemorial, and has, therefore, been the cherished goal of many a trader and invader. Thus, passing through the gateways of the country came towards this historic place the Dravidians black, the Aryans fair, the Mongols yellow, and the Moghals with almond eyes.

To Delhi, on to Delhi they pressed one after the other. But each one in turn merged within the vast expanse of India. Then one bright morning the King cried to the Leader of his forces: "Go hero of my people. Go and lead my armies from victory to victory to whatever direction thou chooseth." The Leader cried: "To Delhi will we press ... Why stand ye hesitating and faltering here! Press on ye Hindu warriors ahead; the hour of *Svaraj* has come."

This youth of incontestable dash and inextinguishable spirit was Baji Rao, who dashed forth against the enemy of the land, the Great Durrani invader.

This was the time when the country was passing through a very critical stage. The mighty structure of the Great Moghal Empire was tumbling down due to age and disintegration; the ominous clouds of unrest were overcasting the Indian skies, and the danger of

a turbulent attack was feared from the North at every moment.

Nadir Shah Durrani crossed the Indus when Baji Rao was nearing Delhi. But onwards he marched, undaunted and unalarmed. Cried he: "Nadir is no God—he cannot destroy the creation, he is bound to come to terms with those who prove strong enough. The talk of friendship can begin only after a trial of strength. Peace can come only after war."

On went the Indian army to cross their swords with that indomitable foe. "O ye heroes," urged Baji Rao, "why ye doubt and deliberate? Advance unitedly and the day of *Hindu pad padshahi* is at hand."

Nadir Shah found in his opponent a power which in 'diplomacy, statesmanship, patriotic fervour, and above all military strength and organization' was quite different from what he had ever met or heard of in the annals of this land from the time of Mahmood of Ghazna. This National power stemmed the tide of invasion surging from the north and threatening to sweep over the expanse of Hindustan. Nadir's ambition was 'checked and chilled' to death, and he beat a retreat after writing a long letter of advice to Baji Rao accepting him as "a devotee towards the Muslim faith."

Nadir Shah quitted India in 1739 and Baji Rao marched forth towards the North; but this great leader of the *Suaraj* passed away on April 22, 1740.

Baji Rao died, but the spirit of *Suaraj* could never die.

¹ S. Sububey's *Nelaji Spasak*, (Bombay) 1946, pp. 6-7.

II

Delhi retained its unique position throughout the sweeping centuries of the history of this land; but next to it in importance was, perhaps, the city known to the ancients by the name of Barugaza.

The earliest records of humanity amply prove that our mountain guarded and sea-girt land was the very heart of the old world having intercourse with almost every country then known in the East or the West. Her favourable geographical conditions afforded the ancient Indians an opportunity for their great naval activity and enormous commercial development. And Barugaza was the greatest seat of commerce in those days.

Barugaza was a port situated on the river Narbada, some thirty miles away from the point where it falls into the Arabian Sea. This was the place from where our country sent out her ivory, silks, muslins, spices, rice, ebony, sandal wood, pearls and other articles to foreign countries, and received in exchange handsome young women, wines, instruments of music, white glass, sweet clover, and gold and silver bars. Thus, since remote past the port of Barugaza was established as the most important emporium in this part of the East.

Barugazi¹ was the name given to the port by the Sumerian merchants and sailors; but our countrymen called it by the more familiar name of Broach. The Sumerians and the Elamites were, perhaps, the earliest traders to call at this port. They were followed in quick succession by the Aryans, the Greeks, the

¹ Cf. BARU (Sumerian); PARU, PUR, PURI (Sanskrit); PHRU (Siamese); PHAROAH (Hebrew).

Scythians, the Arabs, the Egyptians, the Romans, and last of all, the Europeans

III

What attracted these foreigners, was the fabulous wealth of India. She was regarded as one of the richest countries in the world, and it was her silks and brocades, ivory and ebony, and rubies and diamonds which fired their imagination in their distant homelands. But what allured them most was the gold and silver whose massive and steady influx into India was a permanent and outstanding feature of the commerce of this country, which the Europeans so cunningly realized

Indians of old were a wise lot of people. They sold more of their products to the foreigners than what they purchased from them in return, and the balance of trade they adjusted by receiving gold and silver from them. These precious metals were continuously absorbed within the country, for it was a characteristic of the ancient Indians to accumulate large hoards of gold and silver. An early European traveller writes in his account of India that "all nations bring coins and carry away commodities for the same; this coin is buried in India, and goes not out."

Thus, the Europeans, like all other invaders, came to this country with an eye on her wealth. And it was her wealth which brought ruin to India.

The Portuguese were the first people from Europe to find a sea-route to India. They came to this country fifteen years before the foundation of the Moghal

empire, and made Goa the Capital of their dominions in the East.

They were followed by a cleverish group of sailors from England who defeated them in a great sea-fight in 1588, and thereafter supplanted themselves in India.

Two of their sure-footed travellers first arrived at the court of the Great Moghal Akbar. Then came an Ambassador to the court of the son of the Great Moghal along with a group of traders who established their business of commercial and political aggrandisement at a place called Surat near the ancient port of Broach.

One by one, they defeated and dragged out of the Indian arena the rest of the European adventurers like the Portuguese, the Dutch and the French, and began to enjoy a monopoly of trade and intrigues with the people and princes of the country.

The House that Babur built in 1526, crumbled down in the meantime due to age and decay, and thus, by backing one prince against the other, these foreign merchants began to enjoy political authority and entertain schemes of expansion and supremacy.

IV

“Europe bleeds to enrich Asia,” were the words of one of the earliest English visitors to India, — Sir Thomas Roe. Backed by power and authority, the East-India Company tried to undo the mistake of their ancestors. “Let India bleed to enrich England,” was the motto adopted by them, and the process by which during the

course of a single century they established their supremacy over the country, deserves a special study

Having practically no rivals left in the field of trade in India, they purchased goods at rates they liked to pay, and sold their own goods at prices they could draw from the local traders. This was the first stage of their activities towards the domination of India.

They next launched a crusade to destroy her great industries which had been the main source of her wealth and glory since the days of Mohenjo-daro. They applied the guillotine first of all to India's most ancient and premier industry,—the cotton industry, by *totally* banning the export of fine (cotton) cloth to foreign countries. This, added to the invention and establishment of the powerloom in England almost entirely destroyed the great manual mills of India, which, since the very dim past had enjoyed the sole monopoly of producing and exporting the finest cotton cloth and silks to the courts of Persia, Egypt, Rome, France, England and other countries. This was followed by their discouraging the rest of her industries by purchasing her raw materials and exporting them to their homeland for feeding their own growing factories and mills. The result was twofold. Not only were the old Indian industries destroyed and crushed, but also opportunities for the introduction of modern industrial methods were refused and blockaded to such an extent that while Europe stepped forth from her middle aged slumber to modernisation almost immediately after the Industrial Revolution, India on the other hand receded backwards into the oblivion of the dark-age.

poverty, ignorance, and misery within the very same span of time.

Industrial breakdown of India resulted in the economic collapse of her people. The very tide of the influx of wealth was turned, and England began to grow rich at the expense of India

V

While India meant wealth, and wealth meant India to the Europeans, they came as birds of passage to this land, frisking about for a while, picking up seeds of profit and returning home in the dusk of their life. India was nothing more than a land of profit and rule for them. They never made it their home, nor did they ever show a tendency to Indianize themselves in any way. They kept aloof from the people of the land retaining their peculiar moods and manners, customs and institutions, and thoughts and ways to themselves. They kept their institutions of profit and rule as their sole monopoly, replacing one individual of their nation by another as they required, keeping both the incomer and the outgoer satisfied with the wealth and riches of the land.

Thus, more than half the revenues of India went yearly to the pockets of those men who were responsible for governing the country after the downfall of the Moghals. "We must bear in mind," says a European authority, "that every penny of wealth drawn from India to pay salaries, pensions and allowances to the

multitude of British officials, soldiers, Civil Servants, Viceroys and Governors of provinces, etc., etc., comes from a nation of 300,000,000 people, most of whom live at a standard of life which reduces vitality almost to vanishing point. . . Britain, as an Imperial Power, draws large sums from India, and this is spent just as absentee landlords would spend it—away from where it is earned. Much of the wealth of all of us comes to us in this way, and is, strictly parasitical. None of our fathers who conquered India went there to make her prosperous. They went for purposes of robbing with violence, or—with the more civilized—as traders out to make huge profits. Clive and Warren Hastings, and all the long list of Viceroys, have been expected to foster British prosperity."

But apart from fostering the prosperity of the Empire, these adventurers gave full justice in feathering their own nests. In this respect one is reminded of Macaulay's account of Clive wherein he states: "As to Clive, there was no limit to his acquisitions but his own moderation. There were, well piled up, after the usage of the Indian princes, immense masses of coins . . . the Venetians purchased the stuff and spices of the East. Clive walked between heaps of gold and silver crowned with rubies and diamonds and was at liberty to help himself. . . Enormous fortunes were thus accumulated at Calcutta while thirty millions of human beings were reduced to the extremity of wretchedness. The misgovernment of the English was carried to such a point as seems hardly compatible with the very existence of society."

VI

Foreign services brought further drain on the revenues of the country. Higher posts both in the Army and the Civil Services were manned by Europeans, who aimed at enriching themselves with huge private fortunes and wealth of experience, and going back to their distant homeland depriving the country of both their seasoned experience as well as their accumulated hoards. This intellectual and financial drain deprived India not only of the chance of producing great brains, but also of retaining her riches and opulence. The golden sparrow that India was in the past, turned soon into the poorest and the most backward country in the world. Her fields, her forests, her rivers and her mines, which used to emit wealth and riches beyond bounds now lay uncared for and unattended. The country descended almost into the abyss of adversity, and her people sank neck-deep into poverty, privation, pauperism and pestilence.

That was the nadir of India's splendour and glory. Indians fell into a deep slumber of ignorance and omission. But that state of affairs did not last long, for the sparks of liberty again began to glow amidst the cinders of the fallen house, and the sons of Mother India once again picked up the pages of their past deeds and revived the ideal of *Swaraj* (Liberty).

VII

The ideal of liberty was the natural outcome of the consciousness of the growing weight of shackles upon

the people of this land. This consciousness could be clearly traced in the Indian mind during the course of the 19th century. The main factors which goaded them towards this direction were not merely the historic and religious traditions, but to a great extent the machinations of the East-India Company which was responsible for the economic drain, the destruction of local industries, and the consequent impoverishment of the people all over the country.

The economic transformation which England witnessed during the reign of George III (1760-1820), and which historians call as the 'Industrial Revolution,' was indeed a revolution the kind of which history had never known before. Its many sided aspects which began with the invention of machines, the organization of factories and the mass production of textiles, and which revolutionised England by stimulating the advance of sciences, had its far reaching effects upon the colonies, and especially on India. Its most noticeable effect on this country was the pauperization of the Indian working classes, for while in England of those times the Government took almost immediate measures against some of the most far reaching effects of the revolution like the problems of the unemployed poor, the factory conditions and the public health, in India the problems of far greater perpsension and far graver nature went unattended with nothing but repression and reaction as the main features of their policy causing distrust, dissatisfaction and rebellion among the people of the land. The Company meant business in India. If it indulged in any agricultural or irrigational schemes in this country, it was to feed

their mills in England with the raw materials of India; if it constructed any roads in this country, it was to quicken the transport of the raw materials to England, and if it improved the ports of Madras, Calcutta or Bombay, it was to increase the tonnage of vessels taking supplies to England. Thus, its brief season of popularity based upon fraud and treason seemed at an end, for the people of India, who had always taken a keen pride in the age and superiority of their civilization and culture, but who then lay prostrate before a handful of aliens, began to realise the necessity of a drastic reform in their social and political conditions.

Thus, the historic influences added to by the disastrous policy of the British merchant-adventurers, caused the first signs of revolutionary ideas to crop up amidst the oppressed people of India. They gradually grew in volume powerful enough to destroy the existing order by declaring an open rebellion and a war of liberation against the foreigner, of which we shall speak in the next Section.

The long line of this procession of revolutionary ideas during the century under observation emanates from a noble galaxy of people like Ram Mohan Roy, Keshab Chandra Sen, Swami Rama Krishna Pramahansa, Shah Abdul Aziz Dehlavi, Sayyad Ahmad Barelvi, Maulvi Abdul Qadir and Maulvi Chiragh Ali. Their devotion towards the country, and their sacrifices for their countrymen consequently quickened the people towards the struggle for freedom and attainment of liberty,—social, political, and religious.

The truth about this group of men is, that they were the most intelligent and singularly independent

witnesses of their time who chafed at the sad plight of their countrymen—the peasant of this fertile land who went without food, and the artisan who was in a state of constant misery. They found in India a body out of which for years the soul had been passing out slowly. They saw, thus, that their countrymen were on the road to ruin. They were, therefore, the first men in the modern age whose conscience revolted against the hypocrisy of the Government, and who wished that the foreigner should surrender the ill gotten conquests of which he was so proud.

To them, reform meant a *jahad* or a holy war against the 'fanaticism' of the alien rule. Thus, it is remarkable that they made an attempt at a political revolution on a principle embracing the fervour of a religious faith. Their cries of "*Deen, Deen*" (Religion, Religion) helped more in exciting this fervour than their deep philosophical discourses. Their teachings, therefore, were imprinted upon the minds of the people more profoundly than of any others, not because there was anything original in them that was enkindling enthusiasm, but because they were expressing the same feelings from the platform which were already lurking in men's minds. They, thus, gave a definite shape to the vague aspirations of the people by clearing away the obstacles from the rapidly rising storm of revolt, and inspired the malcontents with hope and enthusiasm. They renewed the old maxim that 'the voice of the people is the voice of God', and forced the oppressed masses, who lived in constant dread and depression under the foreign yoke, to prepare for an immense change in their existing conditions. They adopted their line of teaching quite similar to that of Jurieu

who had declared that "sovereignty comes from the people and reverts to the people," that "the Crown forfeits powers it has made ill-use of," and that "the rights of the nation cannot be forfeited." They forged a weapon charged with power to abolish the existing rule, and with warnings and remonstrance cried for vengeance, and passionately appealed for fire and sword.

VIII

To know that the great Indian Rebellion was not a meteor from the unknown but a product of historic influences, we must follow the forces which were in constant operation during the course of that fateful century. It may appear more to be a coincidence of events that the age of revolution in the history of America and Europe,—the age which witnessed the *American, the British and the French Revolutions* should see an attempt towards a revolution of the same magnitude in India as well; but as explained in the last Section, the Indian revolt had a direct bearing upon the British Industrial Revolution. Going farther deep into the matter, we find that all these Revolutions, occurring within a set span of time, were inter related with each other somehow or other. The heralds of these revolutions were affected directly by the teachings and actions of one another who, whether in America, England, France or in India, lilted the free-man's song in tunes parallel to one another's. This becomes further clear when we find that all these Revolutions had a common characteristic, inasmuch as

they all were based on protests against the then prevailing systems of Government which were bad enough to be substituted by what they considered as better systems through revolutionary means

The American Revolution, being the first organised revolt in the British colonial empire, was in a sense the precursor of the Indian Rebellion for the reason, that it was for the first time that the oppressed colonial subjects had taken up arms against the state of inequality to which they were subjected, and against the privileges which their rulers claimed by virtue of sheer conquest. But what the Americans demanded in the initial stages of the Revolution, was far less than those of the Indians' demands in similar circumstances, because the former claimed only an equality of status with the Englishmen, while the latter claimed nothing short of complete independence from the foreign rule. The American War of Independence was, therefore, a fight for the right of an equality of status and against the principles of privileges. Their famous Declaration of Independence which is based upon these principles may well be reproduced herewith for further elucidation of the point. It runs as under —

“When in the course of human events, it becomes necessary for one people to dissolve the political bonds which have connected them with one another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

"We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive to these ends, it is the Right of the People to alter or abolish it, and to institute a new government, laying its foundation on such principles and organising its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that government long established should not be changed for light and transient causes, and accordingly, all experience has shown, that mankind are most disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their duty to throw off such government, and to provide new guards for their future security.

"Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former system of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

"He has refused his assent to Laws the most wholesome and necessary for the public good.

"He has forbidden his Governors to pass Laws of immediate and pressing importance unless suspended in their operation till his assent should be obtained, and when so suspended he has utterly refused to attend to them.

"He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the Legislature—a right inestimable to them and formidable to tyrants only.

"He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures

"He has dissolved Representatives' Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

"He refused for a long time after such dissolutions, to cause others to be elected, whereby the Legislative Powers, incapable of annihilation, have returned to the people at large for their exercise, the State remaining in the meantime exposed to all the dangers of invasion from without and convulsions within.

"He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws of Naturalisation of Foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands

"He has obstructed the administrations of justice, by refusing his assent to Laws for establishing judiciary powers.

"He has made judges dependent on his will alone for the tenure of offices, and the amount and payment of their salaries.

"He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and beat out their substance.

"He has kept among us in times of peace, standing armies without the consent of our Legislature.

"He has affected to render the military independent of and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his assent to their Acts of pretended legislation :

For quartering large bodies of armed troops among us

For protecting them, by a mock trial from punishment for any murders which they should commit on the inhabitants of these States

For cutting off our trade with all parts of the world

For imposing taxes on us without our consent

For depriving us in many cases of trial by jury :

For transporting us beyond seas to be tried for pretended offences

For suspending our own Legislature, and declaring themselves invested with power to legislate for us in all cases whatsoever.

"He has abdicated government here, by declaring us out of his protection and waging war against us,

"He is at this time transporting large armies of

THE COUNTRY AWAKES

foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy of the head of a civilised nation

"He has constrained our fellow citizens, taken captive on the high seas to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

"He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages,¹ whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions

"In every stage of these oppressions we have petitioned for redress in the most humble terms. Our repeated petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be ruler of a free People.

"Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections

1 *i. e. Red Indians of America*

and correspondence. They too have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends

"We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by authority of the good People of these colonies, solemnly publish and declare, that these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be totally dissolved; and that as Free and Independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce and to do all other acts and things, which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honour." (Issued on July 4, 1776).¹

Next to the American Revolution in importance comes the French Revolution (1789-95) wherein the primary principles of the equality of status, borrowed of course from America by La Fayette, were sanctified

1. For a comparative study of the Declaration of American Independence with the Resolution of the Indian National Congress on Fundamental Rights (1933), and the Declaration of Independence by the Provisional Government of Free India (1942), see Chapters VI and VIII.]

by the French thinkers as 'sacred, imprescriptible and inalienable,' and further nationalised by them in the form of the Declaration of the Rights of man. This Declaration enumerates the private, public and political rights of men under four main heads, viz., Liberty, Property, Security, and Self-defence. In this list of rights the first place is given to the Right of Men to choose their ruler who acts only as their agent, who is further responsible to, and controlled by the sovereign authority that delegates it. Further, the right to resist the ruler who indulges in misrule and oppression, follows automatically as a corollary to the above right. The principle of equality is the point which the Declaration most strongly asserts, and it was a denial of this Fundamental Right which led to an open rebellion in India in the nineteenth century. The first step towards this unwise statesmanship was taken on the field of Plassey by one whom the British historians call as the founder of their empire in India. His name was Robert Clive. That "brigand of genius whose crimes were matched only by the splendour of his courage," swept clean £ 23½,000 into his own pocket after the battle of Plassey, and "then stood astonished at his own moderation." His example was followed by his subordinates in the Company, who "presuming on their position, behaved like bullies wherever they went," and who required every Indian they met in the bazaars to salute them. The officers of the local Chiefs and Nawabs dared not question them. Their revenues dwindled, their treasuries were depleted by the demands for 'presents' which they had to make *perforce* and their legitimate Indian trade was ruined by the crushing

competition of the Company

Clive founded an empire in India upon 'treachery and graft'. With only 22 killed and 50 wounded, he won the day at Plassey, which the British historians proudly call as one of the decisive battles of the world. No doubt, Mir Jafar, the Commander of the Indian force was the main factor in turning the tide of the events, whom Clive had promised the throne of Bengal upon the eve of his victory. But still the credit goes to the man who found an empire in India at a time when neither the Directors in England, nor their representatives in India were prepared to take any responsibility for the conduct of a government. Their treatment towards the Indians, therefore, became more violent and cruel. An interesting record has been left by Sir Thomas Munro, the Governor of Madras in a Minute of 1817 which speaks well on this point. He writes: "While other conquerors had been violent and cruel, none has treated the natives with such scorn as we... They do enjoy the fruits of their labour in tranquillity: but none of them can aspire to anything beyond this mere animal state of thriving in peace... The consequence, therefore, of the conquest of India by the British arms would be, in place of raising, to debase the whole people. There is, perhaps, no example of any conquest in which the natives have been so completely excluded from all share of government of their country as in British India."

An element of revolutionary future was introduced into India in the year 1833 with Macaulay's famous Minute on the promotion of Western education in this country. The original motive in this respect was, to

train up timid native clerks for the service of the Company, but unfortunately the very first brick to the foundation of this structure was mislaid by the decision to give Indians a purely literary education which deprived them of the study of natural sciences and technical lines. The results were very grave and annoying. Mr Brailsford, the well known British writer, has admirably summed up these facts in the following words. "The result was," he writes, "that Indians rushed into legal profession and neglected the studies and careers which might have ended Indian poverty by the development of scientific agriculture and modern industry. This land was cursed with an unemployed proletariat of intellectuals, who found their solace in angry political agitations. We might have trained them to teach the peasants, work as engineers and qualify themselves as experts in modern farming; but all this lay beyond Macaulay's horizon," for he could have hardly dreamt that he was unconsciously putting a depressed people upon the road to intellectual revolution which would ultimately challenge the British Imperialism on the soil of India.

THE CRIME OF PATRIOTISM

INTELLECTUAL revolution paved the way for political revolution in India. The soul of the whole trouble was the disregard for the rights of the people who, being ill-treated, threatened, insulted and robbed by their rulers, felt at critical moments that a catastrophe was impending. They declared perhaps in the words of Boucher that : "Men are by nature free. The people choose their prince and confer him their sovereignty ; but they who delegate their authority remain the superiors of their representative. Civil law gives the ward a remedy against an unjust guardian ; the King is the guardian and patron of his people and may be deposed if he oppresses them." Fear and anger led them to an extreme, for while they were ready to yield everything they possessed, their rulers were unwilling to offer anything in return except vague hopes and false promises. Their faith was, therefore, shaken and they drew farther apart engaging finally in a contest so memorable in the history of our country.

That the British were ignorant or uninformed of the coming storm, is not quite correct. Cave-Browne who witnessed the course of the Revolt, and who lived to tell its tale to his countrymen says in his account : "The officers, who had fought the campaign of the Sutlej

and the Punjab, and who spent the comparatively peaceful years which succeeded in the midst of their regiments, can tell a different tale. They saw, slowly, secretly, yet surely a change coming over the spirit of their men, from which they augured consequences that they trembled to contemplate. Again and again did they raise the warning voice but in vain." The British were living in a false security of their position depending upon the loyalty of Indians "whose fathers, and whose fathers' fathers had contributed to the making of the British Empire in India." But they did not perhaps realize that a people could not for ever be kept silent with false promises and fraudulent pledges. They were proud to declare that their word had come to be regarded as equal to their bond in their relation with the Indian subjects, but they kept neither their bonds nor their words. They deliberately violated all promises that they had made with the local people wherever they went, whether 'at Vellor in 1806, at Barrackpur in 1824, in the North Western Provinces in 1844, or in the Punjab in 1849-50,' and consequently the people determined to break off with the rulers whose word was the law of the land, whose terms had the security of the duration of their pleasure, and whose actions meant to make them 'in fact paupers perpetually cringing for relief, and hovering near the starvation line.'

One of the foremost factors which caused great resentment and discontent among the civil population was the policy of the Government which was responsible for the centralisation of political power and the adoption of a uniform code of laws that destroyed the autonomy of villages and other local bodies. It

is said that to govern well it is necessary to govern less; but here the British were not content to leave anything undone in the way of getting the utmost from the country. They increased internal tolls and duties, they put the cultivators under greater obligations of feudal dues by making the landlords to pester them with their continuous demands like drones in the hives, and they did, what lay in their power, to assert that the authority of the Company was unquestioned like that of the Almighty.

II

Between 1833 and 1856 the British adopted a policy of territorial expansion in India. "Dalhousie had no tolerance for half-measures", says Mr. Ramsay Muir: "His logical mind found no satisfaction in the establishment of dependent states with nerveless governments half controlled by English Residents. He was for out-right annexation and immediate and efficient reorganization". Under this policy, Sind was annexed 'in the interests of Humanity' in 1842, Punjab was annexed 'for national security' in 1849, and Oudh was annexed to the British dominions in 1856 on grounds of maladministration by its King. These incidents greatly aroused ill feelings and hatred against the Company's rule in the country. Sir James Outram, who had gone to Oudh to depose the Nawab wrote in this connection: "I had witnessed the indignation which the very rumour of this purpose caused the Sepoys of my own guard... My observations led to the conclusion that they were thoroughly

angered, and a little later, that their minds were being mysteriously worked upon revolt."

The action of the Company in these provinces had undermined the loyalty of the people, because it deprived them of the ancient privileges by which they could maintain their position of importance and influence in their areas. The Indian judges and officials were replaced by the English Civil Servants who forthwith *abolished the right of petition, and thus caused further resentment in the minds of the people.* The Indian soldier lost faith in the Government he served, and was, in the circumstances, ready to be practised upon by any schemer, because his mind was in the *perturbed conditions which disposed a man to believe any assertion, however improbable it might be.*

The guillotine was further applied to the native states by Lord Dalhousie with his notorious "*Doctrine of Lapse.*" This 'restless and ambitious' Governor-General went too far in the policy of direct rule and annexation, and deprived the rulers of Nagpur, Satara, Jaipur, Sambalpur, Udaipur, Baghat and Jhansi of the right to adopt heirs in the absence of natural-born issues, and thus with a single dash made a *clean sweep of their states from the map of India.* The ruler of Jhansi was the well known Rani Lakshmi-bai about whom a contemporary writer says. "*Not very far from Agra there was a powerful chieftain who, from causes similar to those which had influenced Nana Sahib, regarded herself as having been grievously wronged, and who therefore, hated the English with all the bitterness of woman who had been condemned.*

This chieftain was the Rani of Jhansi. She was largely gifted, possessed great energy, had borne a high character, and was much respected by everyone at Jhansi. But the hand of the despoiler had lashed her into a fury which was not to be governed. Under Hindu Law she possessed the right to adopt an heir to her husband who had died childless in 1854. Lord Dalhousie refused to her the exercise of that right, and declared that Jhansi had lapsed to the paramount power. With a stroke of pen he deprived this high-spirited woman of the rights which she believed and which all the natives of India believed, to be hereditary. That stroke of pen converted the lady, of so high a character and so much respected into a veritable tigress so far as the English were concerned. For them, therefore, she would have no mercy."

Furthermore, in order to establish the complete supremacy of the Company, the titles of the Peshwa of Poona, the Nawab of Carnatic, and the Raja of Tanjore were abolished, while the title of the Moghal Emperor Bahadur Shah was also declared to lapse upon his death.

This policy of territorial aggrandizement, consolidation of power, and imposition of supremacy completely displaced the old political order. The Princes and the Nobles were offended at the treatment meted out to the rulers of the above said states, while the people in general were disgusted for being practically disarmed and excluded from all posts of responsibility and being treated as mere serfs and slaves. These, added to by the economic breakdown, brought by the decay and destruction of local industries and crafts, and stimulated further by the religious, social and

political awakening, culminated into the Revolt of 1857, which was a joint effort of the forces of Nana Sahib (the adopted son and heir of the Peshwa), Maulvi¹ Ahmad Ullah (the representative of the deposed King of Oudh), the Rani of Jhansi, and the Emperor of Delhi to overthrow the yoke of the foreign rule and establish a national Government in the country.

III

"The English were living over a volcano ready to burst into deadly violence at any moment," says Sir Charles Theophilus Metcalfe, who was the Joint Magistrate at Delhi immediately before the outbreak of the Revolt, "but they could not, or would not apprehend their danger. Of warnings there were plenty ; but they made little impression, for reasons which are not difficult to understand. In the first place, the distances in India are so great and the circumstances of each district so varied, that rumours reaching a central authority in a far-off capital appear too contradictory and uncertain to be entitled to credit. In the second place, the natives have an unfortunate habit of sending anonymous information to authorities with the view of injuring some personal enemy. All such communications are generally disregarded and consigned to the waste paper basket. Every civil and military officer, with district experience,

1. Better known as the Maulvi. He came from Faizabad, a remarkable man, 'tall lean, and muscular, with large deep-set eyes, beetle brows a high aquiline nose and lantern jaws. Sir Thomas Seaton describes him as 'a man of great abilities,' of undaunted courage, of stern determination, and by far the best soldier among the rebels'

has felt the difficulty at some time or other of making those above him see with his eyes, and hear with his ears, what is going on around him. He finds he is misunderstood, and often discredited . . . From both civil and military subordinate officers warnings were repeatedly given that some portentous event was brooding. Little credit was attached to them, except by Sir John Lawrence. But even if the readiest credit had been given to the very rumour, the Government of India was helpless to act. Its chief armour, offensive and defensive, was the Indian Army, and that in Bengal was more or less disaffected. How far the Bombay and Madras Armies were faithful was a matter of conjecture. The European soldiers were few and isolated. There were no railways and no ready means of communication. There was no possible move but to summon such native allies as the Government could trust, and to summon large drafts from England. What steps the East-India Company may have taken to move the Ministry at home to increase the European Army and send out regiments, can only be ascertained from unpublished records. The only course open to the Indian Government was to put a calm and bold face on the dangers which threatened its existence, and await the course of events. When the warnings were fulfilled in fact, it was found that the conspirators had chosen well their time and place."

IV

The Maulvi was perhaps the first conspirator of the Revolt who fomented the excitement in Oudh.¹ Nana

" 1. " It may be accepted as a historical fact that the annexation of Oudh intensified the prevailing disaffection and hastened the Rebellion " — Sir Charles Theophilus Metcalfe

Sahib, the Rani of Jhansi and Kunwar Singh immediately after him formed an executive council of the conspiracy which set in circulation the *chapatis* (baked bread) among the rural population of India and thereby informed them in advance to get ready for the coming action. Each of these *chapatis* 'was to be made of barley and wheat flour, about the size of the palm of a man's hand, and was to weigh two *tolahs*'. A messenger carrying such a *chapati* was required to go to a certain village and distribute it among the people of the place, and every one who partook of a bit of that *chapati* was held pledged to obey the orders of his Chief or King whenever those might come. Each village receiving such *chapati* was further bound to bake five similar *chapatis* and send them with its own messengers to the five nearest villages in the neighbourhood, with orders that each village was to make five similar ones for further distribution. Thus, the chain of the circulation of the *chapatis* became wider and wider as the days passed, and within an amazingly brief span of time the whole of the country was ready for the coming Revolution. There remained only for the conspirators to find a spark that should change the thought into action. Such a spark they found in the greased cartridge.

V

The issue of greased cartridges to the Sepoys of the Indian Army was the instant cause of the bitter resentment and exasperation among that group of the native population whose loyalty had been deeply ingrained in the hearts of the British rulers. The Enfield rifle which was then recently issued to the Army in place of the old Brown

Bess musket caused the necessity of the new cartridge, which required greasing before ramming to down the barrel. These cartridges were prepared and greased in the Government ammunition factory at Dum Dum (near Calcutta) from where the rumour spread that the grease applied to the cartridges was the fat of the pigs and cows¹ mischievously used by the British rulers to attack their religion and make them out-castes. This gave a religious motive to the people, both Hindus and Mohammadans, who decided to break into open rebellion against the Despoiler, and on the 26th January² 1857 set on fire the telegraph office at Barrackpur. This served as a time-signal to the discontented people all over the country, but so profound was the ignorance of the Government as regards the manner in which the minds of people were set to fever heat that neither this incident at Barrackpur nor the minor mutinies which occurred at several other places in the succeeding weeks moved it towards any serious action.

At Meerut, then the largest military station in India situated some thirty-six miles North-East of the imperial city of Delhi, the long gathering and pent up stream of revolt burst forth on the 10th May, 1857. The first indications of disaffection were shown by the 3rd Native Light Cavalry, eighty-five out of whose ninety men present on the parade on the 8th May, refused to touch the cartridges. The parade was dismissed and the eighty-five troopers were arrested,

1 Actually it was mutton-fat and wax, says G. B. Malleson in *The Indian Mutiny of 1857* (London, 1912) p. 44.

2 26th January was afterwards taken up by the Indian National Congress as the Independence Day to be celebrated annually throughout the country.

brought to a speedy court-martial and sentenced to terms of imprisonment ranging between six and ten years. General Hewitt, the Officer Commanding of the Meerut Division ordered a general parade of the whole Brigade on Saturday, the 9th May to put into execution the *findings of the Court Martial* on the said eighty-five men, who were accordingly marched to the ground, stripped off their accoutrements and placed in irons in the presence of the entire European and Indian force, and thereafter marched off to the jail about two miles away from the Cantonment.

This disgrace and degradation of their comrades infuriated the native troops who, without betraying the least signs of excitement or making any demonstration, quietly held a meeting of the representatives of the three Indian regiments stationed at the Cantonment, and while keeping an orderly conduct and respectful attitude, decided to break out on the following Sunday evening when the European officers would be engaged in their Church service.

The morning of that eventful Sunday passed without the least whisper to Europeans of the treason abroad. But just after the hour of six in the afternoon, when the Church bells began to toll for the evening Service, a large body of Indian sepoy's galloped off towards the jail and having liberated their comrades along with the other inmates of the prison, in all about fourteen hundred people, made a rush over the regimental magazine, and after having armed themselves with muskets, sabres and pistols started their reign of terror. The British authorities were "paralysed by the suddenness and tremendous character of the shock," and apparently lost their heads. The disaffect-

ed soldiers were soon joined by an infuriated and blood-thirsty mob from the town "who took up the work of conflagration and massacre. in the ghastly gloom of the darkening twilight." In the confusion that followed soon after darkness, the 3rd Cavalry and the 20th Native Infantry hurried forth towards the imperial city of Delhi leaving the populace of the town to keep the Europeans well-occupied in the Cantonment during the night. The *Jehad* had begun.

VI

A certain Sergeant-Major Gordon, better known among the people of Meerut as Abdullah Beg, lived in that city at the time of the outbreak of the memorable Revolt. He was a European adventurer, who after being dismissed for reasons unknown from the 17th Infantry, had embraced Islam and taken up his residence amongst the common folk of Meerut where he received visits daily from men of the Indian regiments. He visited the Cantonments of Ambala, Ludhiana and Ferozepur before the Revolt, and was responsible for exciting the sepoys by addressing them on the vexed question of cartridges. He confirmed the belief of the sepoys by declaring: "I know these cartridges are smeared with the fat of pigs and cows, and the Government intends to take away your caste. Even if you smear them with ghee and oil, as soon as you use them your example will be cited, and other regiments will use them."¹

This Sergeant-Major Gordon became virtually a leader and adviser of the disaffected Indian troops at

1 Sir Charles Metcalfe, *Two Native Narratives of the Mutiny in Delhi* (London, 1858), p. 39 f n

Meerut, and on the night of the outbreak at Meerut, led the one Cavalry and two Infantry regiments of Indians to Delhi

On the morning of the 11th May, while the sun blazed in its wonted glory over the gorgeous domes and gigantic minarets of Delhi, the bazaars attained their usual hum and bustle, and the courts began their daily drone of litigation, Baldev Singh, the Daroghah in charge of the Jamma Bridge came running to the office of the Collector, Hutchinson with the news that he had received information that there had been a fight between the European and Indian troops at Meerut last night, and that the latter were marching on to Delhi, burning all bungalows and killing all Europeans along the route. The Collector at once ordered to close the city Gate leading to the Bridge, and thereafter hastened to the house of the Commissioner, Simon Fraser, who was still enjoying a sound slumber at about 11 o'clock in the burning heat of May, while the enemy was close upon the gates of Delhi. Fraser had, late in the night before received a message from Meerut, but so lazy was he that he slept over the letter without caring to know its contents. Thus, while the Collector was arousing the sluggish Commissioner from his mid summer siesta, Abdullah Beg and his brave cavaliers had already reached the walls of the city.

Hutchinson then galloped off to the Cantonment three miles away from the city, and informed Brigadier Graves about the situation. He despatched the three available regiments towards the city, but before they could reach the outskirts of the town, the troops of Abdullah Beg had entered its precincts from the

Calcutta Gate after cutting down the Daroghah in charge of the Jamna Bridge. Sir Charles Metcalfe, Joint Magistrate, Hutchinson and Fraser met the Meerut-sepoys and attempted to reason with them, but "the tide of rebellion had set in, and no human power could force it back." They were fired upon by the rebel troopers, and had, therefore, to run for safety. Hutchinson and Fraser fled towards the King's palace in the Red Fort, and Sir Charles galloped off towards the Kotwali in the Chandni Chawk but the former two were caught up and cut down to pieces by the infuriated sepoy within the palace, while the latter escaped in his under pants and shirt to the Paharganj (a suburb near the present New Delhi Railway Station) police station and from there, with the help of the local Thanedar, made good towards Jhajjar, and therefrom towards Hissar.

Meanwhile, the Meerut sepoy joined hands with the local rebels, soldiers and civilians and the city fell into confusion. These people began to comb out the city from all the European population, and by dividing themselves into two parties,—one for the Daryaganj area occupied by most of the European families, and the other for the Kashmere Gate area containing the public offices, courts, the Telegraph office, the College, the Bank and the Magazine. The unleashed convicts and the unhinged mob which had, by this time, joined the infuriated sepoy, began the orgies of their retaliation over the Europeans; they burnt down the courts, looted the Bank, and blew up the Magazine. Brigadier Graves, and Captains De Teissier, Tytler, Wallace and others, who had brought the three regiments down to deal with the rebels,

found that their men refused point-blank to move against the enemy; their manner became more and more defiant and their language grew more and more insolent, although they did not commit any act of violence. Gradually they began to disperse in their carriages, on horseback and on foot. As the day was nearing sun-set, the officers had no other alternative left but to retire as best as they could. Thus, giving up all hopes of holding the city, they mounted their horses, and in the twilight of the evening ran for their lives, some towards Meerut and the others towards Karnal.

VII

The flames of revolt began to rise concurrently over the length and breadth of the country Meerut, Ambala, Ferozepur, Lahore, Amritsar, Jullundur, Cawnpore and Lucknow all witnessed the hurricane of rebellion issuing forth from Delhi.

On the 12th May, the following rebel forces were reported to have been present in the city of Delhi —

5 Regiments Native Infantry	2,000	men
1 Regiment Cavalry	350	"
1 Battery Artillery	180	"

Total	2,530	men
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On the said day the rebels took possession of the old King Mohammad Bahadur Shah's private office in the Red Fort within the city, placed a guard over the Dewan-i-Khas (House of Lords), and insisted on the King to hold a *darbar* every day. They further substituted their own men in place of the permanent

staff in attendance on the King, and thus, virtually took possession of the old Moghal.

On the advice of Abdullah Beg, the King issued *parmanahs* (letters-patent) to the various native regiments urging them to join their own Emperor's forces, and it is said that "in every instance the King's *parmanahs* had the effect of causing the soldiers to mutiny and make their way to Delhi. At the sight of the King's *parmanah* the men who had fought for the English forgot the past in the desire to be re-established under a native sovereign, thus, duly, the city became more and more the centre of the rebellion."

The first burst of excitement and disorganisation gradually settled down in Delhi. The period between the 12th May and 8th June was occupied in restoring peace and order, for the rebels were expecting an attack from the British, and were preparing for the defence of the city. As the Magazine had been blown up, and there was a great shortage of the gun-powder, orders were issued for its manufacture, and a supply was made ready by the end of May.

During this period, Mirza Moghal, the grand-son of the King was appointed as Commander-in-Chief of the forces, who caused the King to send letters to all the native princes to rally round their liege-lord for their fight against the foreigner. The Nawab of Jhajjar and the Raja of Bullubgharh were the first to join the King openly.

THE CRIME OF PATRIOTISM—(*contd*)

THE 1st telegraphic message that flashed from Delhi on the fateful day of the 11th May, 1857, and which shocked the British authorities all over the country ran —

“ Delhi 11th May

“ Cantonment in a state of siege Mutineers from Meerut 3rd Light Cavalry number not known said to be one hundred and fifty men cut off communication with Meerut . . City in a state of considerable excitement Troops sent down but nothing certain yet ’

Since telegraphic communication with Delhi was cut off almost immediately after the receipt of this message by various stations, it took them some hours to confirm the authenticity of the news through the fugitives from Delhi who arrived at Karnal and sent up a runner to the nearest Cantonment of Ambala reporting the horrors of the Revolt. A rapid succession of telegraphic messages therefore followed from that place to Lord Canning, the Governor General at Calcutta, and to the rest of the civil and military authorities in the country.

On the 14th, 15th and 16th May further particulars of the seizure of Delhi reached the Governor-General, who instructed the Governors of Bombay and Madras, and

the Chief Commissioner of the Punjab to hasten troops to "make short work of Delhi". Of all these, Sir John Lawrence, the Chief Commissioner of the Punjab, viewed the seriousness of the contiguity of the rebel area to his newly annexed province, and therefore, emphasized on the immediate necessity of piercing the heart of the enemy's position by the recapture of Delhi. His fears were well-founded, for the rebellion was spreading over the expanse of the country.

General Anson, the Commander-in-Charge of the Indian Army, who was at that moment inspecting troops at Ambala, acceded to the wishes of Sir John and accordingly wrote to General Hewitt, Officer Commanding of the Meerut Division on the 23rd May asking him to advance with the column from Karnal towards Delhi on the 1st of June, and to be opposite Bhagpat on the 5th. At this point he would join him from Meerut. But General Anson was not destined to see the gates of Delhi. He died of cholera while on march between Ambala and Meerut, and on the night of the 27th May, according to the original programme the force available at Meerut moved out under Colonel Wilson.

Wilson arrived at Ghaziabad, on the main road between Meerut and Delhi, on the 30th, and encamped on the banks of Hindon, a tributary stream of the river Jamna. At this point he halted for four days during the course of which he played a diplomatic game with the enemy. He sent a certain Resaldar Ahmad Khan towards Delhi, who interviewed with the King and expressed the loyalty of his regiment (4th Bengal Cavalry) to join the national forces. He remained three days with the King and promised that

the day the English army would meet the forces of the King, he would lead his men away to the right and join the King. After this show of loyalty he returned to Wilson on the 3rd June. In the meantime Wilson's force had been further strengthened by a battalion of Gurkhas from Sirmoor.

Wilson and the traitor Ahmad Khan moved with their force from Ghaziabad on the 4th June. On the 6th they reached Bhagpat where on the following day Sir H W Bernard met him with the Ambala force. This combined Field force arrived at Alipur, a village at a distance of a single march from Delhi, on the 8th where they encamped covering themselves with a strong advance guard of arms, and with a breastwork thrown up across the road. Here Hodson, who had been on a reconnaissance trip to Delhi met them and on his report a plan for an attack on the following morning was prepared.

A small Indian force had, during the night, taken up position at an enclosed building called Badli Serai, about five miles away from the city. Here a regiment dressed in the uniform of the 4th Bengal Cavalry was led by Colonel Clayton on the right flank. The Indian sepoys, seeing the advance guard believed them to be the regiment of Ahmad Khan coming to join their army. They raised a cry of "Deen, Deen"; but as soon as the Cavalry approached near the Indian army, its squadrons wheeled around, and clearing their front the English battery opened fire. The sepoys, being unprepared for such an act of treachery, lost heavily on the field and immediately retreated. This was followed by some fight within the Serai, where they lost about 400 men. The English force

advanced next morning and took up their position along the Ridge near the city of Delhi. Two brief skirmishes followed here with the native force. Wilson, with the help of Brigadier Showers, and afterwards strengthened by Brigadier Grave's column fought his way along the crest and arrived at the Sabzi Mandi. On the 10th and 11th the attack on their position was renewed by the Indian force, but the English escaped to the Rajpur Cantonment.

II

Sir John Lawrence, who had all along been taking greatest pains towards the suppression of the Revolt, was responsible in despatching further reinforcements to Delhi. He contributed "six battalions of European infantry, a regiment of European cavalry, and a considerable force of European artillery, seven battalions of the Punjabee Corps of Sappers and Miners, and a number of Sikh artillerymen, two siege trains, and eight thousand auxiliaries furnished by native chiefs." Thus the English aimed at the recapture of Delhi at all costs.

For the rest of the month of June, while the forces of the English were accumulating in the out-skirts of the city, those of the King of Delhi were gathering within the precincts of Delhi. On July 2, Mohammad Bakht Khan, Commander of the Bareilly Indian force arrived at Delhi, and offered his services along with that of his force to the King of Delhi. He reported that his force consisted of, four regiments of foot, seven hundred cavalry, six horse-artillery guns, three field pieces, fourteen elephants, three hundred spare horses and one hundred *Jehadis*. He further declared

that his force had received six months' pay in advance, and possessed a treasure of about four lakhs of rupees. He also assured the King that he would not trouble him for any monetary assistance, and if his troops would be victorious in the field of battle, he would, on the contrary, pay into the King's Treasury whatever surplus he would have.

"This man was," says G. H. M. Ricketts "the chief native officer of a field battery of Artillery, all the gunners being natives. It was rather a famous battery, as it had served at Jalalabad under Sale in the first Afghan War, and had a mural crown as an honorary decoration on its guns. Bakht Khan had served in it at Jalalabad." Mohammad Bahadur Shah grasped this man's hands in token of friendship, and gave him a shield, a sword and the title of General. He was appointed Commander-in-Chief of the national forces in place of Mirza Moghal, and a Royal Proclamation was issued to all officers to receive all instructions from Bakht Khan.

In the evening of the same day General Bakht Khan inspected the Magazine, and at night he held a meeting with the King, the Queen Zinat Mahal, and their two Ministers, Hakim Ahsanullah Khan and Ahmad Kuli Khan to chalk out their future plan of action.

On 3rd July the King issued orders to Bakht Khan to arrange for the payment of the monthly salaries to the Royal servants. He was also instructed to reorganise civil administration, Police and the Revenue Departments, and was empowered to shoot any one plundering and to give compensation to the victim.

On the 8th a letter was received from Peshawar

that 20,000 men of the forces were willing to join the King and would shortly arrive at Delhi.

On the 9th Bakht Khan attacked the English at the Rajpur Cantonment near the city with the men of the 8th Irregulars, the regiment which had followed him from Bareilly. He went right into the English camp from the rear, and as the uniform of his force was similar to that of the other Irregular regiment in the camp, he passed in unchallenged. Bakht Khan and his *Jehadis* were half way between the Ridge and the canal when this mistake was discovered by the English. James Hill, commanding the artillery ordered his guns for action, but Bakht Khan charged upon him with his cavalry, and with the help of his *Jehadis* cut down a great number of the English officers and men. Hill ran away from the field for safety after having received a sword-cut which had rent his skull to the brain. By this time the whole of the English camp was aroused and a fierce battle took place near Sabzi Mandi wherein a large number of the English were further wounded and killed. Bakht Khan retreated to the city after plundering the English camp and taking away "twenty horses, seventy camels, and a great deal of valuable property" as a prize for that day's Victory.

This victory added greatly to the prestige of Bakht Khan whose meteoric career has been traced in the previous pages. The King was greatly pleased with him, but the princes could not tolerate the domineering influence of this man. On their representation, therefore, the King informed Bakht Khan that the officers of his army had urged him to appoint three Generals for the army. On the 15th July,

Mirza Moghal and other officers were summoned to the court where they selected the three Generals, Bakht Khan, Mirza Moghal and Ghaus Mohammad (the Commander of the Neemuch force) and placed eight regiments of infantry and two of cavalry under each. Under these arrangements, Bakht Khan had only the Bareilly Brigade left under his command.

This division of command proved in the long run to be one of the basic causes of the defeat of the Indian forces.

On the 22nd July Bakht Khan advised the King that their forces should harass the English with daily guerilla attacks. Accordingly he attacked the enemy at the Ludlow Castle next morning. This was repulsed by the English after a heavy artillery fire and Bakht Khan retreated to the Salimgarh Fort.

III

As the days passed the conditions became more and more critical on both the English and the Indian sides. The capture of Delhi had become the turning point of their fate, for both opponents had their honour and empire at stake. Both sides were, therefore, endeavouring to rush in for reinforcements, strong and speedy for the final fight. Thus, while the English reposed their reliance on the Chief Commissioner for the Punjab, the King of Delhi tapped the sources at his disposal.

On the 29th several Sikh retainers of Raja Narinder Singh deserted the English camp and appeared at the durbar. This looked very serious, for the English depended most upon the people of the Punjab for their coming fight. A counter move was, therefore,

necessary to be started against the enemy. For winning over the Sikhs they started a propaganda that the King of Delhi was the great-grandson of the Moghal Emperor Aurangzeb, who was responsible for the torture and death of the sons of their Guru (religious Leader). The Sikhs were, therefore, entreated to join the English in order to avenge that act of murder and cruelty. Thus, by giving a religious touch to the whole affair they tried to win them over to their side. Another serious step was taken towards creating internal dissension in the court of the King and winning over some of the prominent people at the back of the Revolt to their side. For this purpose an Intelligence Department was organized under the guidance of Lieutenant Hodson, who called forth the most capable and trusted of his Indian agents, Maulvi Rajab Ali from Lahore, and despatched him to the interior of the city for making propaganda and supplying intelligence bulletins to the English stationed outside the city. Thus, "like the two ends of an electric wire were Rajab Ali in the city and Hodson in camp; through them passed daily the most authentic intelligence of the rebel plans and movements."

Through this agent the English tried to win over the three prominent advisers of the King, viz., Queen Zinat Mahal, Mirza Elahi Bakhsh and Hakim Ahsanullah Khan. Consequently, Rajab Ali succeeded in getting the Hakim in confidence after entering into correspondence with him on the 30th July in the course of which he dwelt upon his position with the King of Delhi as "a fly that sat upon a blade of grass in the urine of an ass and thus floating thought herself to be conducting a ship."

IV

The month of August began with heavy rains, which flooded the country around Delhi. On the 2nd August, Bakht Khan reported to the King about the state of affairs saying that the troops had been sent in the direction of Basi as a safety measure against floods. Upon this the King got very wild and rebuked Bakht Khan saying that he would never capture the Ridge from the English, and showed his disgust at the attitude of the General.

Misfortunes began to follow thereafter in quick succession. On the 4th August, while the King was in his private apartments, a deputation of officers came to him and informed him that Hakim Ahsanullah Khan was in communication with the English, and that it was he who had proclaimed that about 1400 *Jehadis* had reached the outskirts of Delhi from Swat. These *Jehadis*, whom the Hakim had proclaimed to be the friends of the national forces, were in fact, some Pathans enlisted by the English who were instructed to kill the *Purbeahs* and make themselves master of the city. The King replied that the Hakim was not concerned in any such act of treachery, but the officers were so convinced of the Hakim's hand in all this affair that they, leaving the King in disgust, went in a body to the Hakim's house to kill him there and then, but the latter being warned in time had left the house.

On the 6th August the Commanders of the Bareilly and Neemuch forces made a joint attack on the English at Alipur, at the Ridge and at the Mithai Bridge (near Tis Hazari grounds) as a result of which the English army was beaten back, and retreated as far back as

the Residency. Fighting continued the whole of that day, and on the following morning the English heaved a sigh of relief at the news that John Nicholson was arriving with a huge siege train from the Punjab.

It is said that "the reconquest of the imperial city was accomplished almost wholly and entirely by the Punjab forces." Nicholson reached Delhi on the 7th August in advance of his force of about 25,000 men. With this force, he calculated that the enemy could not stand a fortnight in the city, for neither the fortifications of the city were of very formidable character, nor the enemy had any training of fighting a pitched battle. Still it was necessary to proceed very cautiously for working upon their programme of action. Thus, while Nicholson added to the strength of the English force outside the city, Hakim Ahsanullah Khan did his might in crushing the Indian force within the city, because in the same afternoon the gun-powder factory established in the house of Begum Samru exploded killing four hundred and ninety-four persons. The sepoys believed that the explosion had been arranged by the Hakim. Therefore more than a hundred cavalry troopers went to hunt out the man. They plundered his house, but he had escaped to the King's palace where the latter saved him by hiding him in an underground room. The troopers surrounded the palace and demanded the traitor from the King, but he resisted their demands. At last, finding himself helpless before the infuriated soldiery, the King, on condition that his life would be spared, handed him over to them, and in the meantime calling his sons—Mirza Moghal, Mirza Khizr, Mirza Mehdi and Mirza Abdullah to him, asked them to

remain by the side of Hakim Ahsanullah and protect his life. Mirza Moghal recovered some of the property of the Hakim, and sent it for safe custody to the palace of the King, while the other three princes remained with him all the night.

On the following day, 8th August, Begum Zinat Mahal, the Queen of the Moghal King Mohammad Bahadur Shah was also suspected of negotiating with the English by the national force which threatened to plunder her palace. The King, therefore, was panic-stricken at the attitude of the public towards his best friends—Hakim Ahsanullah and the Queen, who were the people to instigate the King for the Revolt, and who now appeared to have been won over by his enemy. He sent two hundred troopers to guard the houses of the Hakim and the Queen.

On the 10th August the Hakim was released by the soldiers probably on the surety of the princes. The English fire from outside the city walls began to terrify and annoy the public in the city, who closed the doors of their houses and the windows of their shops and began to pass every hour in fear expecting a storm of blood and fire in the capital of the Great Moghal.

On the 14th August General Ghaus Mohammad made a report to the King that Nicholson's columns had arrived near Delhi. The King was very much concerned at the news, and asked Ghaus Mohammad to make an immediate attack upon the enemy. His words were "Unless the English are driven from the Ridge, you will never be victorious, the Indore troops are coming. You have the *Nimuch* force; you must attack the English at Alipur."

Preparations began on both sides. On the 18th August the King visited the Salimgarh Fort near the Palace and held a Council of war. It was decided that Generals Bakht Khan and Ghaus Mohammad Khan should both attack the English the next day with the Nimuch and Bareilly forces. But Bakht Khan, who had during his last two encounters with the enemy earned the height of fame and won the confidence of the King, had unfortunately sold himself to the English by this time. The enemy had thus succeeded in completely hollowing out the structure of the national power by purchasing the very helmsmen of the Revolt both within and without the *darbar*; but the King, as in the case of the Hakim, did not entertain any doubt in the treachery of his greatest and most favourite General of the day. On the 20th August, Generals Gauri Shankar and Talyar Khan of the national army presented a Sikh to the King who stated before him that Bakht Khan was in secret communication with the English, and it was understood that he had promised them to draw off his force on the day the national army would attack them at Alipur, and would thus give a chance to the enemy to attack Delhi unopposed. The news did not stir the King in the least, for such a blind faith had he in his ministers and Generals, particularly Bakht Khan, that without caring any further to investigate into the matter, he dismissed the informer calling him to be a spy of the English.

V

The English force, being outside the city of Delhi, tried to cut off the supplies of the King in men and

material by occupying the Jamna river Bridge and other important roads leading to the city. The enemy further constructed a battery in the Metcalfe Compound and from there started a heavy fire into Salimgarh Fort which was the arsenal of the national force. The King's Artillery was in the hands of General Bakht Khan, undoubtedly the most capable man behind the guns of the nationalists, but that day his guns could not silence the English battery. The King personally visited the Salimgarh Fort on August 22, and ordered his battery to fire a few rounds, but being disgusted at its poor show, said to the General "It is much to be regretted that instead of your silencing the English fire, I see their batteries getting nearer every day." On the 23rd the King again visited the Fort and was much perturbed to learn that General Bakht Khan had not marched upon Alipur as was decided by the War Council. The officers of the Nimuch force accused him of negotiating with the English, and withholding his troops until the English had received sufficient reinforcements. The officers of the Nimuch force, under the circumstances, asked permission of the King to be allowed to disarm Bakht Khan's Bareilly Brigade, but the King did not agree to it. On returning to the Palace, he issued orders that Bakht Khan should not be admitted to the Palace, and that the officers of the national Army should not take orders either from Mirza Moghal, the Commander-in-Chief, or from any other General, inasmuch as he had appointed a Court of twelve members,—six to be appointed by the King and six by the Army for the future conduct of the war. The Army was, therefore, to obey the orders issued by this Court.

This representative Court summoned Bakht Khan to explain his conduct, but he swore upon the Quran that he had opened no negotiations with the English. The Court, therefore, looking to the difficulties of the national force, quitted him on the virtue of his oath, and asked him to lead his Bareilly Brigade against the enemy in conjunction with the Nimuch Brigade.

On the 25th Bakht Khan marched against the enemy at the head of the Bareilly Brigade, and encamped at Palam. The Nimuch Brigade under Ghaus Mohammad arrived soon after it. The two Generals then held a conference. Bakht Khan wanted to halt there for the night and make a joint attack the next day, but Ghaus Mohammad explained to him that as the enemy was lurking in close quarters, it was better to push on to Bakhtghara near Najafgarh and encamp there for the night. To this Bakht Khan did not agree, and the result was that while he stubbornly remained encamped at Palam, Ghaus Mohammad moved on towards Najafgarh with the Nimuch Brigade. Bakht Khan, in the meantime, took a chance and retreated to Delhi, while Nicholson directed his attack upon Ghaus Mohammad. He took the sepoy's of the Nimuch Brigade unawares while they were pitching their camp near the Caravansehai on the bank of the canal and attacked them from the two sides with heavy fire of artillery and musketry. Being blocked from the other two sides by the canal and the village houses respectively, the sepoy's of the Nimuch Brigade had little chance to escape the enemy-fire. Thus, in the fight that ensued, Ghaus Mohammad lost about 800 men and thirteen of his guns. Nicholson after his victory at Najafgarh, crossed the canal with his spoils, and blow-

ing up the bridge after him, arrived at the Gates of Delhi the next day.

The news of Bakht Khan's treachery was known to the King on the 27th, but no serious step appears to have been taken by him even at this juncture except that he sent a messenger to the General telling him that he had been false to his salt in turning away from the field of battle. This imbecile and idiotic policy of the King amply proved that the end was not very far off.

VI

Mohammad Bahadur Shah, the King of Delhi held a *darbar* on the 1st of September 1857 wherein the traitors—Hakim Ahsanullah Khan, Aminullah Khan, Ziauddin Khan, Mirza Dahi Bakhsh and General Bakht Khan attended along with five hundred other officers and nobles to consider the defence of the imperial Capital. They were loud in their complaints that the Commander-in-Chief Mirza Moghal and his brother had robbed the citizens of several Lakhs of rupees under the pretext of making payments to the troops. The King, therefore, sent for Mirza Moghal and his brother Mirza Khizr Sultan and asked them for an explanation in the matter. They replied that only rupees 40,000 had passed through their hands to the royal treasury, and that the allegation about the misappropriation of several lakhs of rupees was absolutely wrong. This led to further friction among the Generals of the Army which consequently resulted in lack of confidence and mistrust among them at the most critical moment of their struggle for existence.

On the 4th September the English received their siege guns, and having something like 9,000 trained

soldiers at their disposal, started the erection of breaching batteries outside the curtain-walls of the city. Baird-Smith, the Chief Engineer with their army, who was responsible for the assault of the city describes the defences of the imperial city in the following words :—

“The eastern face rests on the Jamnah, and during the season of the year when our operations were carried on, the stream may be described as washing the base of the walls. All access to a besieger on the river front is therefore impracticable. The defences here consist of an irregular wall, with occasional bastions and towers, and about one-half the river face is occupied by the palace of the King of Delhi and its outwork, the old Moghal Fort of Salimgarh. The river may be described as the chord of a rough arc formed by the remaining defences of the place. These consist of a succession of bastioned fronts, the connection being very long, and the outworks limited to one crown work at the Ajmir Gate, and martello towers, mounting a single gun, at such points as require additional flanking fire to that given by the bastions themselves. The bastions are small, generally mounting three guns in each face, two in each flank, and one in the embrasure at the salient. They are provided with masonry parapets, about twelve feet in thickness, and have a relief of about sixteen feet above the plane of site. The curtain consists of a simple masonry wall or rampart, sixteen feet in height, eleven feet thick at top, and fourteen or fifteen at bottom. The main wall carries a parapet, loopholed for musketry, eight feet in height and eight feet in

thickness. The whole of the land front is covered by a berm of variable width, ranging from sixteen to thirty feet, and having a scarp wall eight feet high. Exterior to this was a dry ditch, of about twenty-five feet in width, and from sixteen to twenty in depth. The counterscarp is simply an earthen slope, easy to descend. The glacis is very short one extending only fifty or sixty yards from the counterscarp. Using general terms it covers from the besiegers' view from one-half to one-third of the walls of the place."

With such defences, the enemy's plan of assault was 'not to follow the prescribed routine of siege operations, and to select only that portion of defences against which bombardment could be directed, and the assault delivered afterwards with greatest possible effect and the least possible Loss.' Such a portion was the northern face of the city represented by the Mori, Kashmere and Water bastions and connected with the curtain-wall. The National Army having in all two thousand trained men in this area, constructed batteries to meet the English fire with forty guns. As their powder-factory had been blown off by Ahsan-ullah Khan, and they were short of gun-powder, the King sent out a letter to the Nawab of Farrukhabad for an immediate supply of 2 000 maunds of sulphur which could have perhaps helped them to make a longer stand if it had arrived in time.

On the 7th, the English Engineers began to erect their batteries outside the said portion of the curtain-wall. Battery No. 1 was erected below the Ridge about 700 yards away from the Mori bastions. No. 2 was erected in front of Ludlow Castle 500 yards away from the Kashmere Gate; No. 3 was constructed

within 160 yards of the Water bastion, and No. 4 was traced and completed on the 11th September in the Qudsia Garden outside the Kashmere Gate. The same evening the English opened fire directing their attack against the Kashmere and Mori Gates. The cannon-balls began to fall indiscriminately within the city, and caused injury to many civilians. The guns of the national Army replied with equal strength, but its ground was getting slippery and precarious as the time passed, for the cannonade of the enemy was causing wide breaches in the curtain near the Kashmere and Mori Gates.

The King passed that night in great anxiety within the Palace. Early in the morning on the 12th September, he issued a proclamation inviting all Hindus and Muslims of the city to rise and sweep through the enemy's camp, and kill every European soldier.

A tremendous fire from both sides continued throughout that day and night. At length in the afternoon of the 13th the enemy was able to make two big breaches near the Kashmere and Water Gates with the help of a very heavy siege gun. During the course of the following night, the engineers of the enemy performed the dangerous task of examining these breaches, and after their report General Wilson issued an order of attack directing General Nicholson to storm the breach near the Kashmere bastion, Brigadier William Jones to assault the breach in the Water bastion, Colonel Campbell to swoop down upon the Kashmere Gate after it had been blown open, Major Reid to attack the suburb of Kishanganj and enter the city through the Lahore Gate (through the present Saddar Bazar), and lastly Colonel Longfield to maintain a

reserve column of about 1,500 men to support the first column under the command of Nicholson.

The English drew up their columns of assault at three o'clock in the morning of the 14th September. Quietly they took up their positions and waited for the signal to advance. The lead was given by an explosion party of fourteen men who, under heavy fire of the national Army advanced with powder-bags to blow up the Kashmere Gate. They rushed to the breach in the downpour of shot and shell, let down their ladders in the ditch beside the curtain-wall, attached the bags to the gateway, lighted the fuse, and with a tremendous explosion the massive Kashmere Gate shattered to pieces. The columns of the English forced their way through the slot, and after wading through the streams of blood they reached the Jami Masjid in the heart of the town.

VII

The bazaars and lanes of Delhi witnessed scenes of severe battle on the 14th September. The sepoy of the national Army fought with the courage of a tiger. From windows and ventilators, from house-tops and barricades, they hurled down upon the enemy the last shot with them. Failing bullets, stones, brickbats, shafts, logs and everything that came to their hand they flew down at the enemy. Traitors within and marauders without, nothing could save the sepoy. Still every inch of ground was contested, won, re-won and lost. They fought at the Kashmere Gate, they fought at the Magazine, they fought at the Water bastions, they fought at the Jami Masjid. Ravaged

by dysentery, famished and outnumbered, they fought with superb courage. But 'misfortunes never come alone', they say. The months of August and September of that fateful year had been exceedingly rainy, and in the circumstances that the people of Delhi were constrained, with supplies broken, with rains soaking, with health disordered and with courage damped, it was impossible to 'extemporize' a really strong army, even if it could be welded on the anvil with the hardest stroke. The odds against the national Army were overwhelming. It had to fight against the well-trained might of a European state, which not only outnumbered in trained hands, but also was far superior to it in its resources. Its intrigues had further sowed the seeds of discord in the house of the Indian nation through the traitors like Hakim Ahsanullah Khan, Maulvi Rajab Ali, Mirza Elahi Bakhsh, and General Bakht Khan. Stabbed in the back, attacked by an overwhelming force in the front, and led by traitorous Generals, the national Army, with exhausted magazine and emaciated structure, bowed down at last to the inexorable decision of fate after putting up a glorious fight for six days. Those were the days of heroic feats and desperate fighting, of death and devastation. The nation had staked all for her freedom but the King had been forced to maintain a certain course of action by his selfish and selfseeking courtiers and commanders, who burning though with zeal, had no love lost between themselves, and who acted as their personal antipathies prompted. The King was a sincere and logical Mussalman, but each one of these jobbers and

trimmers wormed his way into his side and extorted his sanction in most cases against his will. As the course of events led him to recall his weakness with some bitterness, his longing to cast off the yoke which had abased his dignity as a King, as well as his conscience as a Mussalman, grew deeper but the alarming state of events amply showed that he had realized his fault at a stage when nothing could save him and the nation from the coming avalanche of misfortune.

The English columns in short, secured their position in the city after six days of shot and shell. A battery of 24 pounders and mortars paved its way to the main entrances of the Red Fort where the King lived. All was ready for an assault when the Palace was found to have already been evacuated. The main gate was blown open, but before the English columns marched in, thirty of the Moghal warriors blocked the way and died fighting to the last man. The King with all his family had made his escape good. Three hundred years back, one of his illustrious ancestors had similarly bidden farewell to the imperial city of Delhi and made for Persia as a homeless fugitive only to return after 15 years and once again win back the hegemony of the redoubtable Babur. But today it was an exit for ever. No more the Peacock Throne would find a scion of the renowned house of Timur to adorn it. No more would the enchanting halls of the Rang Mahal tinkle with the silver-belled giggles of the Moghal beauties. No more would the heavenly Diwan i-Khas, decide the destiny of India. All was desolate and bewildering. The deserted buildings

yawned in grim silence. A search was started for the old King and soon the hounding Hodson was upon the track. He captured him with the royal princes from the tomb of Humayun six miles away from the city of Delhi. Thus, it was a typical irony of fate that the Moghal Empire closed at the point where it had started. The soul of Humayun must have, for once, turned in his grave to see the last of his descendants being captured in such a helpless condition. The King and the princes were led back to the city by Hodson and his men in awful silence. Slowly they wriggled on over the high mounds and through the wooded graveyards of Nizam-ud-Din, infested with monkeys and jackals. No more the people ran to have a look at their *Shahinshah* (King of Kings). The only spectators were the crows and the monkeys, perching on the trees around or sitting by the roadside in a sort of melee. But even they croaked, growled, chattered and then turned their backs on this most unwelcome train. Now and then, the howl of a distant jackal disturbed the silence of the fading sunset glow. At last in the growing gloom of the night the party reached the Chandni Chowk, the famous 'Starlit' Street of the city which used to bustle with traders and travellers beyond number, but where in that slowly spreading night not a voice of a man nor a bark of a dog was heard. There, 'between the day and the night, between the sun and the moon, between the stars and the dust' the old King cried. He cried but once in a way that would have melted even the hardest of hearts, but not of Hodson and his blood thirsty men. A flash, a volley, and a dying

groan followed in quick succession, and then silence reigned the Chandni Chowk again. The princes royal, —Mirza Moghal, Mirza Khizr Sultan, and Mirza Abubakr fell down upon the ground cold, lifeless and dead. Not a soul moaned, nor an earthing groined at the plight of the old Moghal. Even the trees were silent, even the brown leaves on the ground were silent, and even the stones of the royal city were silent and still, and the King alone was left with none to share his sorrow, to be lost to pine and die.

The Red Fort, where only yesterday Mohammad Bahadur Shah had sat in regal state, was yet to see the greatest humiliation inflicted upon its King. Abu Zafar, Sirajuddin Mohammad Bahadur Shah, Bidshah Gazi, the Emperor of India was to be tried—tried as a rebellious and treacherous murderer. These were the epithets put upon the sacred head which was the fount of love, mercy and justice. But for many a day and many a night he had yet to moan behind the cold and silent stones and await his doom to be decreed by the enemy of his house.

On the morning of September 20 the surrender of Delhi became known to the country. According to the victorious force there was a traitor hidden beneath every paving stone in Delhi. The patriots were really beside themselves with terror, for the horrible treatment of the princes and the people in the streets of Delhi amply proved that the murderers had been seized for a time, with a fit of sadistic fury. Hodson and his band wading through the blood might have encouraged the soldiery like Billaud Varenne during the French Revolution. "People! You are slaying

your enemies! You are doing your duty!" "I did it" Hodson might have said. "What do I care if they call me a drinker of blood?" And indeed, all his party made up their minds to extol the business rather than to blame it.

The Indian nation lay crushed beneath the feet of Hodson and Wilson. But India was not to perish, for young Indians who lay concealed in every corner of the country at that gloomy hour still shouted with cheeriest of hearts the slogans of 'Long Live India',—and India was going to live!

VIII

It was the 27th of January 1858. A military commission sat in the Diwan-i-Khas. The Palace presented that day a picture of complete desolation. The 'Heaven on Earth' of the days of Shah Jahan—the Magnificent, was today nothing more than a dungeon. Its trappings, cushions and gold and silver ornaments had all been robbed, plundered and sacked. The naked beauty of the artist which no amount of vandalism could destroy, was the only feature which showed that it was something more than a mere building. In the middle of the hall towards the Eastern side sat seven sullen faces with death and revenge beaming in their eyes. The President, Lt.-Colonel Dowes, sat behind a table, while Majors Palmer, Redmond, Sawyers, and Captain Rotteney sat beside him two on each side. A little removed from them towards the interior sat Major F. J. Harriott, Deputy Judge Advocate General and Military Prosecutor, the most important man in the trial who dominated the entire proceedings and

became notorious for his anti-Indian feelings during the trial. Opposite to him sat James Murphy, the Interpreter.

It was 11 o'clock. The rays of the sun beamed through the marble screen at the back of the President so that there was death and darkness in front of him. All witnesses were ordered to retire. A grim silence prevailed. There were some whisperings between the judges and then a sentinel went out and dragged along the royal prisoner whose breaking heart, more than his age, had benumbed his foot-steps. What patience was his to see a foreign military court sitting in judgment upon him in a hall whose mere sight, only a hundred years back, was beyond the dreams of an Englishman, and where in royal privacy, the most important questions of the realm were settled. But today, Mohammad Bahadur Shah, the descendant of the renowned Timur, the scion of the irresistible Babur, the heir of the magnificent Shah Jahan, was almost dragged in and offered a *charpai* to sit upon, where a Shah Jahan would not sit except on the world-renowned Peacock Throne. In front of the President, Bahadur Shah literally sank down into the *charpai* and rested his head on the palms of his hands.

The orders of convening and forming the Court and appointing Lt-Colonel Dawes, President were produced and read. Next the names of the officers appointed to serve on the Court were read in the hearing of the prisoner.

The King's only counsel was one Ghulam Abbas, 'who did not actually offer any legal arguments on behalf of his client, but merely assisted him in prepar-

ing his defence. Neither the accused nor his counsel was able to follow the proceedings in English and, therefore, the services of James Murphy, a noted linguist, were requisitioned as an interpreter.

Question by Court — "Prisoner, do you object being tried by the President, or any of the officers appointed to sit on this Military Commission?"

Answer — "No."

The President, members, the Interpreter, and the Deputy Judge Advocate-General were duly sworn in. All witnesses were thereafter directed to withdraw, and the charges against the royal prisoner were read as follows —

- (1) For that he, being a pensioner of the British Government in India, did, at Delhi at various times between the 10th of May and 1st October, 1857, encourage, aid and abet Mohammad Bakht Khan, Subedar of the Regiment of Artillery, and diverse others, native commissioned officers and soldiers unknown, of the East-India Company's Army, in the crimes of mutiny and rebellion against the State.
- (2) For having at Delhi, at various times between the 10th of May and 1st of October, 1857, encouraged, aided and abetted Mirza Moghal, his own son a subject of the British Government in India and other unknown inhabitants of Delhi and of the North-West provinces of India also subjects of the said British Government, to rebel and wage war against the State.

- (3) For that he being a subject of the British Government of India, and not regarding the duty of his allegiance, did, at Delhi on the 11th May 1857, or thereabouts, as a traitor against the State, proclaim and declare himself the reigning King and Sovereign of India, and did then and there traitorously seize and take unlawful possession of the city of Delhi and did, moreover, at various times, between the 10th of May and 1st of October 1857, as such false traitor aforesaid, treasonably conspire, consult and agree with Mirza Moghal, his own son, and with Mohammad Bakht Khan and diverse other false traitors, unknown, to raise levy and make insurrection, rebellion and war against the State, and further to fulfil and protect his treasonable design of overthrowing and destroying the British Government in India, did assemble armed forces at Delhi and send them forth to fight and wage war against the said British Government.
- (4) For that he, at Delhi on the 16th of May, 1857, or thereabouts, did within the precincts of the Palace at Delhi, feloniously cause and become accessory to the murder of 19 persons, chiefly women and children of European and mixed European descent, and did, moreover, between the 10th of May and 1st of October, 1857, encourage and abet diverse soldiers and others, in murdering European officers, and other English subjects, including women and

children, both by giving and promising such murderers service, advancement and distinctions, and further, that he issued orders to different native rulers having local authority in India, to slay and murder Christians and English people whenever and wherever found on their territories; the whole or any part of such conduct being an heinous offence under Act XVI of 1857 of the Legislative Council in India.

Question: "Mohammad Bahadur Shah, are you 'Guilty' or 'Not Guilty' of the charges preferred against you?"

Answer "Not Guilty."

And then started the usual boredom of the lengthy procedure of the court. For the whole of the months of January and February, witnesses were produced and taken in support of the charges. Documentary evidence consisting of royal proclamations, orders, grants and invitations were placed before the judges. After the prosecution had brought up all the available evidence against Mohammad Bahadur Shah, the old King put up his defence. The comprehensive charge-sheet contained mainly the story of the War of Independence of 1857, but the King, in his defence did not raise any questions of International Law. His defence was of a purely legalistic character based upon simple and straightforward statement of facts.

With a quivering hand, Bahadur Shah clasped his stick,—the only support which clung to him through those dark days of distress and despair, and handed over the papers on which he had caused his

defence to be written by his scribe. The Interpreter took papers and read out in a clear and distinct voice

"I swear by God, who is my witness, that I did not give orders for the death of Mr Fraser or of any other European. Mukund Lal and other witnesses in saying that I did, have spoken falsely. That Mirza Moghal and Mirza Khizr Sultan may have given orders, would not be strange, for they had leagued with the revolted soldiery. After these occurrences the rebellious troops brought Mirza Moghal, Mirza Khizr Sultan and Abubakr, and said they wished to have them as their officers. In the first instance I rejected their request but when the soldiery persisted and Mirza Moghal went off to his mother's house from dread of the soldiers, I kept quiet in the matter, and then by mutual consent on both sides, Mirza Moghal was appointed to be Commander-in Chief of the Army. . . It is a matter for patient and just consideration then, what power in any way did I possess or what reason had I to be satisfied with them. . . Now if I was in the full exercise of power and authority, should I have permitted the physician Ahsanullah Khan's and Mahbub Ali Khan's imprisonment, and should I have allowed the physician's house to be plundered? The mutinous soldiery had established a court in which all matters were deliberated on and such measures as, after deliberation, were sanctioned by this Council, they adopted; but I never took any part in their conferences. Thus, without my knowledge or orders they plundered, not only many individuals, but several entire streets, plundering, robbing, killing and imprisoning all they chose, and forcibly extorting whatever

sums of money they thought fit from the merchants and other respectable residents of the city and appropriating such exactions to their own private purposes. All that was done, was done by that rebellious army. I was in their power, what could I do? Seeing that these troops had killed their own officers, men of high authority and power, how was I, without an army, without treasure, without stores of ammunition, without artillery to have resisted them or made arrangements against them? . . . In all the above, which I have caused to be written from my own dictation, there is not the smallest falsehood nor deviation from truth. God knows and is my witness, that I have written only what is strictly true and the whole of what I can remember."

Then came the tedious tirade of the prosecutor in which full use had been made of all the vituperative resources at his command. Facts were coined, moulded and manipulated to drag the patriot Bahadur Shah into the crime of revolt and rebellion. The Court delivered their final judgment as under:—

"The Court, on the evidence before them, are of opinion that the prisoner Mohammad Bahadur Shah, ex-King of Delhi, is guilty of all and every part of the charges prepared against him."

The world will never forget this judgment of a victor over the vanquished,—a virtuous man, upright, chaste and moral. The English thought that they had won a great victory when they decided to finish off the House of Timur for good. They fancied themselves humane because they had beaten the would-be assassin, but their action was no more defensible than that of their victim.

THE MASSES AND THE CRISIS

THE Revolt of 1857 failed, but it left its marks deep upon the rival parties, for while on the one hand, it made the English aware of the insecurity of their position with a sense of perpetual fear and suspicion, on the other, it intensified the feelings of dissent and dissatisfaction among the people of India. The Company's rule ended with the Proclamation of Queen Victoria in 1858, which promised to make the people of India happy by offering them offices and employments without bias of birth, descent, colour, creed or caste, but neither such promises were fulfilled for years to come, nor the 'brutal behaviour' of the British officials slackened in any way towards the Indians. On the contrary, English soldiers, planters and traders poured into India in ever increasing numbers, and in their inordinate pride of white skin, gave the disappointed Indians a new sense of injury and neglect. This, followed by the reactionary policy of the Government characterised by the Vernacular Press Act, and the Ilbert Bill, resulted in the establishment of various political associations in the country, like the East-India Association, the Bombay Association, the Indian Association and the Mahajana Sabha, which added to by a powerful battery of the press consisting

of some 500 newspapers in various vernaculars, organised a field of regeneration and political advancement of the country upon modern lines.

Further, the need for an All India organization was keenly felt after the establishment of such provincial and scattered Associations, and as a result of it the Indian National Congress came into existence in December 1885. Henceforth, this organization was to be an official organ and exponent of the movement of 'National renaissance' in India.

About the birth of the Indian National Congress, Mr. W. C. Bonnerjee wrote in 1898 in his *Introduction to Indian politics*: "It will probably be news to many that the Indian National Congress, as it was originally started and as it has since been carried on, is in reality the work of the Marquis of Dufferin and Ava when that nobleman was the Governor-General of India. Mr. A. O. Hume, C. B., had in 1884, conceived the idea that it would be of great advantage to the country if leading Indian politicians could be brought once a year to discuss social matters and be upon friendly footing with one another."

But the Marquis of Dufferin, though seemingly or indirectly helped the cause of Indian nationalism, was never, for a single moment against the established traditions and policy of the *Divide and Rule* of his predecessors, for while on the one hand he invited and encouraged Mr. Hume to organize the Indian National Congress, and even entertained its delegates to garden parties, on the other he tried to divide them into two hostile and incompatible camps. "Clever and insidious attempts were made," says Mr. Mahadev Desai at one

place, "to cultivate among the Muslims class hostility against the Congress, and Sir Auckland Colvin, Lieutenant-Governor of the N.-W. provinces, argued with Mr A. O. Hume about the Congress provoking a counter agitation among the Muslims "

This counter-agitation was started under the leadership of that giant among the men of his age—Sir Sayyad Ahmad Khan, who founded the Aligarh M. A.-O College, and who, with the introduction of the Western education, science and culture in that institution, preached also the gospel of strict loyalty to the British Crown.

The followers of Sir Sayyad's Aligarh School of thought were the fittest instruments of the *Divide and Rule* policy of the Government. Thus, unconsciously Sir Sayyad became a tool of the British by 'stopping the Muslims from all political activities, and by opposing the Congress'. He started a political party known as the *Mushtarka Jama'at Muhibban-e Hind* (The Joint Committee of the Lovers of India) about which he wrote to Major General Graham in 1888 that "the aim of this party is to oppose the political ideal and activities of the Congress". In the same year, when the session of the Congress was being held at Calcutta, he inaugurated a Muslim Educational Conference in the same city with the idea of detracting the attention of Muslims from the former. "Thus," says Sir Valentine Chirol, "so great and enduring was the hold of Sir Sayyad Ahmad's teachings upon the progressive elements in Mohammadan India that the All-India Muslim League was founded in 1905 almost avowedly in opposition to the subversive activities which the

Indian National Congress was beginning to develop."

Lord Curzon returned to India in 1904 to complete his term of the Viceroyalty. He came back aiming at an increased administrative efficiency, which his successor, Lord Minto (1905-10) tried to carry out to the best. They found the followers of the Aligarh School of thought fit for the promotion of their policy so much so that in 1906 Lord Minto was 'in a position to take the active step of having a *Command performance* in the shape of a deputation headed by His Highness the Aga Khan to wait upon him to press the demand of communal representation.'

In the same year '*a Machiavellian device*' was conceived to defeat the national movement by splitting up the province of Bengal which was playing a leading roll in the political regeneration of the country. By this ill-advised partition the British invited 'a more violent and menacing phase in the political life of India, marked by the rise of militant leadership in the Congress, and by terrorism in Bengal' It stirred up violent nationalism and furnished a test case which invited a trial of strength between what was universally regarded as the policy of *Divide and Rule* and the resistance of public opinion.

The country made a violent protest, and set up a prolonged agitation to check this action of the Government. Agitation was the talk of the day. "Agitation," said Dadabhai Naoroji at the Calcutta Session of the Congress in the same year, "is the life and soul of the whole political, social and industrial history of England... The whole Parliament, press and platform is simply agitation. Agitation is the civilized

peaceful weapon of moral force, and infinitely preferable to brute physical force, when possible .. Agitate, agitate means inform. Inform the Indian people what their rights are and why they should obtain them, and inform the British people of the rights of the Indian people, and why they should grant them. If we do not speak they say we are satisfied. Is we speak they say we become agitators! The Indian people are properly asked to act constitutionally, while the Government remains unconstitutional and despotic "

II

The period between 1900 and 1906 was critical in the political history of this country, for while the people were showing an increased sign of self consciousness, the reactionary policy of their rulers could not but make itself more and more naked and emphatic. This naturally intensified the National struggle which, under the incessant and repeated blows of the Government prospered 'like the ball that bounds the higher the more it is hit, and the drum that sounds the louder the more it is beaten '.

Furthermore, the growth of an extremist element, having strongly opposite views to the strict constitutional methods of the older generation, became visible in the Congress body at its Session in 1906. The greatest exponent of this party was a Ratnagiri Brahman, 'the uncrowned King of Maharashtra, and later, of India during the Home Rule days,' whom the common folk looked as 'a very god who came to live in the *Kaliyuga* among the sons of men.' That man was Bal

Gangadhar Tilak commonly known today as the father of Indian nationalism. "Tilak rose on the wave of nationalism generated by events at home and abroad," says an account. "His newspapers poured fire and brimstone on the British and missed no opportunity of stirring up ill-feeling against the Government. He exploited religious emotion and turned it to the political advantage."

"Swaraj is my birthright, and I will have it", declared Tilak. He became the leader of Indian Nationalism and organised his famous Home Rule Movement, about which we shall speak in the following pages. The results of Tilak's 'service and sufferings' were really important, for he caused the Muslim League to join the Congress in support of the Home Rule campaign for the first time in their history. This unanimity of the Muslims and Hindus upon a political demand was something quite new and even surprising to all including the Government. The right of India to immediate Home Rule was asserted fearlessly through public speeches, lectures and meetings, and popular excitement was provoked throughout the country. Serious disturbances followed in its wake, but Tilak succeeded in his mission by leaving a rich and inspiring legacy to every citizen of his nation, viz. *the birthright of Swaraj*.

III

The World War I began on August 1, 1914. British statesmen were naturally anxious to have the co-operation of the Indians in the prosecution of the War. They, therefore, with their high-promises won over the

confidence and co-operation of the country " Politics petered out and sank into insignificance ", says Pandit Jawaharlal Nehru in his Autobiography, " and the Defence of India Act held the country in its grip " Even Mahatma Gandhi, who had returned from South Africa in those days and captured the imagination of the rank and file of the country helped the British in drawing Indians to their side in no small a degree. He declared " Every fit person of India should help the British Government at this crisis, because it is only after such a service that India can honourably become an equal partner of the British " And even the eminent leader of the Muslim League, Maulana Mohammad Ali supported this attitude in his *Comrade* writing " All truly loyal people have closed the Chapter of civic controversy with the officials and into that book they are likely to look no more Whatever our grievances, whatever reforms we desire, everything must wait for a more reasonable occasion Even if the Government were to concede to us all that we ever desired or dreamt; if for instance, the Muslim University were offered to us on our own terms, or the Press Act repeal were to be announced, or even if Self-Government were to be conceded to us, we would humbly tell Government *this is no time for it, and we must for the present decline such concessions with thanks Concessions are asked for and accepted in peace. We need no bribes !* "

Thus, both the Congress and the League chalked out a generous policy of unanimous loyalty to the British during the war They gave lavishly both in men and money, and expected their reward in vain

In November, 1916, a joint session of the Congress and the Muslim League was held at Calcutta under the Presidentship of Sir Surendranath BANNERJEE. Here the famous Lucknow Pact was drafted in the light of Mohammad Ali Jinnah's suggestions, and signed by leaders of the said two parties. This introduced a period of exceptional interest in the political history of the country and caused rapid progress in the evolution of Indian political demands. The Lucknow Pact cleared the communal differences of Hindus and Muslims and introduced a unique fraternisation among them for the formulation of a scheme of self-Government.

As a result of these conferences, one of the crucial problems of India was now happily solved. A new era of brotherhood between Hindus and Muslims, with a genuine spirit of accommodation dawned. The political struggle was thus launched in the right earnest mood. It seemed then that the Congress and the League, though different in body, were one in soul. "All were taken by surprise", says an account, "including the Government, for the unanimity of the Hindus and Muslims in their demand for Home Rule was altogether new."

In July 1917, a joint meeting of the Council of the Muslim League and the Congress was held in Bombay, where it was resolved that a petition be submitted to the Parliament in support of the scheme of reforms adopted by the League and the Congress. They demanded that 'an authoritative pronouncement be made, pleading the Imperial Government in unequivocal terms to the policy of making India a self-Governing member of the British Empire.'

Popular excitement was provoked by lectures, meetings and public discussions. It soon attained such a widespread character that the Government thought it essential to take necessary steps against it. On August 20, 1917, the Government announced the visit of Mr. Montague, the Secretary of State for India which was something 'dramatic in character and bewildering in its novelty.'

The publication of the Montague Chelmsford Report in 1918 divided the Congress in two wings. The main reforms related to the provincial Governments but where really important legislation was concerned, dependence upon the Governor, the Viceroy and the Secretary of State was essential. Further, the division of subjects into 'reserved' and 'transferred' made Indians suspicious of the British offer.

The real problem lay in the transference of political power and responsibility from the British to the Indian people. Therefore, in the opinion of the Congress, the Montague-Chelmsford Report presented great defects. The right of India to immediate Home Rule was, therefore, boldly asserted by it and as a result thereof, popular feelings were aroused and events of great magnitude occurred.

The end of the Great War I brought disappointment, distress, turbulence and restlessness in its wake. The soldiers, back from the fields of battle, were no longer 'the subservient robots that they used to be.' The Muslim masses were crying themselves hoarse at the wrongs done to Khilafat, and the extremist section of the Hindus were starting a campaign for the immediate declaration of Home Rule. A violent discontent was

further created by the refusal of the British Columbian authorities to admit Indian immigrants whose ship was driven back to Bengal, and who, when marched, on Calcutta in protest, were scattered by the police and hunted down and arrested. Another band of Indians from America, Manila, Shanghai and Hong Kong reached India at about the same time. They were exasperated against the attitude of the Government for which they had fought during the war, and which would not now admit them to its colonies. These unhappy circumstances drove the people of India to the edge of revolt.

The Government tried to suppress the revolutionary activities of the people for the time being with the Defence of India Act, but further on it appointed a committee under Mr Justice Rowlatt to consider the situation and to suggest measures against it. This exasperated the people to a great extent, for in the employment of such a committee they saw an attempt of the Government to continue the restrictions which had been imposed upon them under the stress of the War.

But in spite of the country wide opposition the Rowlatt Bills were passed and put in force. Under its provisions 'people could be tried by the Courts which were empowered to sit in camera, and which could accept in certain circumstances the recorded statement of persons dead or missing or otherwise incapable of giving evidence which could be subjected to the test of cross-examination. The judgment of these tribunals would be conclusive. People could be sent to the gallows under this procedure or could be transported for

life. It also provided the Executive with authority to search without warrant and to arrest and confine persons without trial almost indefinitely.

The trouble started almost immediately. The proposals were met with resolute opposition from every quarter. Gandhiji, who had just passed through a serious illness, begged of the Viceroy not to give consent to the Rowlatt Bills, but his appeal, as others', fell upon deaf ears. Thus, in the teeth of public opposition, the Government pushed through a law the object of which was to court trouble and invite an upheaval in the country. It was, therefore, left for Gandhi to take up the leadership of the crushed, withered and smothered humanity, and start his first All India agitation known as the Satyagraha Movement against the 'Satanic Government'. The members of this movement were to disobey the Rowlatt Act as well as other obnoxious laws by non-violent action. "Indians were ready for a decisive struggle", says an account. "Not since the Mutiny had the British Raj been in graver danger. . . . A firm alliance united the Hindus with the Muslims, who were angry over our (the British) attitude to Turkey and its Sultan, the last Caliph of Islam. So close was the fraternisation that Hindus were invited to preach in the mosques. British cloth was boycotted, and with startling unanimity city after city declared a *hartal*,—something between a day of mourning and a general strike." On the occasion of the Rama Naumi festival on the 13th April, 1910, the Satyagraha Day was celebrated in India with complete suspension of business in all big towns. At Amritsar, where a large public gather-

ing was to be held in an enclosed garden known as the Jallianwalla Bagh on that day, the Government proclaimed martial law declaring all meetings and political gatherings to be unlawful. The resentment became acute, and the people courted gaoth openly and deliberately.

The meeting had just commenced at the said place, when General Dyer arrived in with a detachment of soldiers along with a machine-gun, and having blocked the only passage of the garden, opened fire at the mob causing, in the course of ten fateful minutes, 379 deaths and 1208 serious casualties.

The massacre of the Jallianwalla Bagh shocked the country through and through like a strip of lightning that scourges the sky. Mahatma Gandhi became the unchallenged leader of the people. The masses were aroused to the height of emotion and serious disturbances were feared. Martial law was, therefore, declared in several important towns, and attempt to criticize the Government, howsoever mildly, was checked by stern measures, suppression of the papers and imprisonment of the persons concerned. The authorities indulged in an orgy of indiscriminate repression showing how humanity was kicked in an unfortunate land.

The Jallianwalla Bagh incident was just what was needed to set afire the public mind. In appealing to the masses to take part in the political struggle, Gandhi introduced an innovation. It was the gospel of Non-Co-operation. "The foreign Government in India," he said, "was fed on Indian co-operation, and when that co-operation was withdrawn, the Government must tumble down like a building whose foundation

had been undermined " The Government was charged with having conducted itself in an unjust and immoral manner in dealing with the Khilafat question and in the question of making amends for the wrongs done in the Punjab during the days of the Martial Law. It was declared that no conscientious man should co-operate with the Government unless it purged itself of its malpractices.

The Non Co operation Movement was to be essentially a non-violent struggle, since it originated in a religious atmosphere. The Ali Brothers, who were recently discharged from the Betul Jail, joined the Amritsar Session. Other Muslim divines and Maulavis, who had seen that the Government was not paying any heed to the demands of the Khilafat Committee, came forth and discussed the non co operative and non-violent struggle as the means of solving their difficulties.

Indians in general took it up more as a political weapon than as a religious formula, and wanted to try it then for winning the freedom. The issues were sombre and the crisis was grave, although the leader of the Movement carefully refrained from giving any encouragement to those who held radical views.

The Khilafat Committee came more and more under the influence of Gandhiji with whom all the prominent Muslim and Hindu leaders discussed about the method of approach to the Government. It was decided to send a deputation to the Viceroy to place before the Government the sentiments of Indians regarding Turkey and the Khilafat question. The deputation waited upon the Viceroy, but without any result.

He only assured them that if it was decided by the Khilafat Committee to send a deputation to England, he would provide all facilities for the passage. Maulana Mohammad Ali was ready to go with his spear and shield of eloquence, but Abul Kalam Azad was of the opinion that the old methods of begging, petitioning, waiting in deputation and so on could not be of much avail. They, therefore, had to find some new means of putting pressure upon the authorities.

In September a special session of the Congress met at Calcutta to consider of the steps necessary for non-co-operation. It was there that the Congress resolved to surrender titles given to Indians by the Government; to boycott councils, schools and law courts; to boycott foreign goods, and the adoption of the home spun and swadeshi in piece-goods; and reviving home-spinning and hand-weaving. "With this," says Jawaharlal Nehru, "began the Gandhi era in the Congress politics . . . The whole look of the Congress changed; European clothes vanished and soon only Khadi was to be seen; a new class of delegates, chiefly drawn from the lower middle classes became the type of Congressmen; the language used became increasingly Hindustani, or sometimes the language of the province where the session was held, as many of the delegates did not understand English, and there was also a growing prejudice against using a foreign language in our national work; and a new life and enthusiasm and earnestness became evident in Congress gatherings."

Later on, in December of the same year, the resolution of Non-Co-operation was confirmed at the Annual Session of the Congress at Nagpur. There the Congress

laid emphasis on non-violence being the integral part of the Non-Co-operation resolution.

The new gospel of Gandhiji took the whole country by storm. Abul Kalam Azad and Hakim Ajmal Khan, with Maulanas Mohammad Ali, Shaukat Ali and Abdul Bari gave their full support to the movement. All opposition was levelled down and all over the country the meetings were attended by hundreds of thousands of men and women. The movement progressed with unprecedented success. Khadi became the fashion of the day. Boys and girls emptied schools and colleges; lawyers gave up their profession, villages started their own private courts to settle disputes, and cottage industries began to have new life and vigour. People flocked at meetings full of excitement, optimism and buoyant enthusiasm. Leaders,—young and old, Azad, Gandhi, Motilal, Jawaharlal, Deshbandhu Das, Vallabhbhai Patel, Rajagopalachari and Babu Rajendra Prasad all worked harder than ever before. They were charged with a feeling of intense pride and with a sort of intoxication that the sense of freedom had put upon their nerves. People poured their precious ornaments, jewellery and wealth into their hands and within a few weeks a crore of rupees was collected to run the Non Co-operation Movement.

IV

The spell of Gandhiji's Non violent Non Co operation talks hypnotised all classes and groups of people for a united action, and a widespread campaign was waged throughout the length and breadth of the country. But there were no mass arrests in spite of the general

excitement of the public as a result of flamboyant speeches at innumerable meetings and conferences. The Government did not want to take such steps since the Prince of Wales was coming to India in that year (1921), and it was desired to have a congenial atmosphere for his reception in the country. But the Congress and the Khilafat Committees, which had already been sick of the attitude of the Government, were more irritated at this news. They announced that the bureaucrats had invited the Prince to prop up their lost prestige. The people, therefore, were urged to boycott all functions in connection with his visit. Gandhiji issued a statement in this connection on the 27th October, 1921: "I have no manner of doubt that the Prince's visit is a crime against us if His Royal Highness is being brought for personal pleasure and sport when India is seething with discontent, when the masses are saturated with disaffection towards the system under which they are governed, when famine is raging in Khulna and the Ceded Districts, and when an armed conflict is raging in Malabar: it is a crime against India to spend millions of rupees on a mere show when millions of men are living in a state of chronic starvation. Eight lakhs of rupees have been voted away by the Bombay Council alone for the pageant . . . What are we to do in the circumstances? We must organise a complete boycott of all functions held in the Prince's honour. We must religiously refrain from attending charities, fetes or fire-works organised for the purpose. We must refuse to illuminate or to send our children to see the organised illuminations. To this end we must publish leaflets

by the million and distribute them amongst the people, telling them what their duty in the matter is, and it would be true honour done to the Prince if Bombay on the day of his landing wears the appearances of a deserted city.

"We must isolate the Prince from the person. We have no ill-will against the Prince as a man. He probably knows nothing of the feeling in India, he probably knows nothing about repression. . . To do or to attempt to do any harm to the person of the Prince would be not only cruel and inhuman, but it would be on our part a piece of treachery towards ourselves and him, for we have voluntarily pledged ourselves to be and remain non violent."

The Prince of Wales landed in Bombay on November 17, 1921

The Congress greeted him with a country-wide *hartal*, with meetings condemning the British policy and with bon fires made of the British goods. The bustling towns of Bombay and Calcutta suddenly assumed 'sepulchral quietness,' and no one except a handful of Government officials were left to receive the Prince from place to place.

The Congress and the Khilafat Committees in Bengal headed by C. R. Das and Abul Kalam Azad, respectively, joined hands for the lead in that province, but the Government could not tolerate their activities any longer. Early in December prominent workers, except Das and Azad, were taken into custody, and immediately after that mass arrests began. Pandit Motilal and Jawaharlal Nehru were arrested in Allahabad, and on December 10, Maulana Azad was also arrested at his

residence in Calcutta. This was followed by an orgy of arrests and convictions throughout the country. All prominent workers and leaders were imprisoned, and volunteers by the thousand went to jails with a frantic zeal and unprecedented enthusiasm.

V

No less than 30,000 persons suffered imprisonment during the months of December 1921 and January 1922, and then suddenly Mahatma Gandhi, who had not so far been touched by the Government, suspended the Civil Disobedience Movement.

"If any movement in the history of the world could be called as one man's movement," says the author of *Non-Violent Non-Co operation*, "it was certainly the Non Co-operation Movement. Not only its conception and genesis, but also its life and growth, had all their origin in Mahatmaji's head and heart. He alone was the guide and the operator; all others were followers and tools. The success which the Movement achieved in its first stages, obliging even a clever politician like Lord Reading to climb down from his high pedestal and beg Mahatmaji for a Round Table Conference, was solely due to the spirit of enthusiasm born of optimism, which Mahatmaji had introduced into Indian politics... One could not raise a whole nation to great heights of perfect non-violence in one year, specially when the people regarded the doctrine as something new and when they had adopted it not as a temporary expedient. Indians as a nation, brought and bred from the very dawn of their history in an atmosphere of political violence, could not be, and should not have been

expected to become non-violent in thought, word and deed in the short span of one year. Buddha had failed in this direction, Christ had failed, and so did Mahatma Gandhi!"

The sudden cause of the suspension of the Civil Disobedience Movement was said to be the Chauri Chaura incident. The peasants all over the country were calling on the Mahatma to take up an immediate action in resisting the overburdening land-tax. This he hesitated to do, and the result was that they began to act without him. A mob from the village of Chauri Chaura in the United Provinces killed and burnt twenty-one policemen and guards at the police station, and horrified the Mahatma by their 'atrocities.' But the latter amazed all his friends and foes by passing restrictive orders almost immediately after this incident.

The halt order of Gandhi after the Chauri Chaura incident was considered as one of the greatest political blunders. Jawaharlal Nehru says "The sudden suspension of our movement after the Chauri Chaura incident was resented, I think, by almost all the prominent Congress leaders other than Gandhi of course. My father (who was in gaol at the time) was much upset by it. The younger people were naturally even more agitated. Our mounting hopes tumbled to the ground and this mental reaction was to be expected. Chauri Chaura may have been and was a deplorable occurrence and wholly opposed to the spirit of the non-violent movement, but were a remote village and a mob of excited peasants in an out-of-the-way place going to put an end, for some time at least, to our

national struggle for freedom? If this was the inevitable consequence of a sporadic act of violence, then surely there was something lacking in the philosophy and technique of a non-violent struggle for freedom, for it seemed to us to be impossible to guarantee against the occurrence of some such untoward incident. Must we train the three hundred and odd millions of India in the theory and practice of non-violent action before we could go forward? And, even so, how many of us could say that under extreme provocation from the police we would be able to remain perfectly peaceful? But even if we succeeded, what of numerous *agents provocateurs*, stool pigeons, and the like who crept into our movement and indulged in violence themselves or induced others to do so? If this was the sole condition of its function, then the non-violent method of resistance would always fail."

If by calling off Civil Disobedience Gandhi meant to clear the country of violent tendencies, it was nothing beyond a chimeric hope, for his opponents would always have created a situation wherein there would have been no other course open but to abandon the fight. It was no excuse. Naturally there was a great reaction, fury and resentment.

All prominent leaders were in prison and the masses in spite of the enthusiasm, could not think of any headway at such an abrupt end of their activities. The results were apparent. The Non-Co operation Movement cooled down and all organised discipline went to pieces.

Since Gandhiji himself had quietened his ranks, the Government was wise enough to avail of this oppor-

tunity. On March 1, 1922, Gandhi was arrested and sentenced to six years' imprisonment. Thus, quietly the huge edifice of the Non-Violent struggle, which Gandhiji had so ingeniously designed, planned and erected upon the shoulders of his countrymen, collapsed and went to wrack and ruin.

In December 1922, C. R. Das was elected President of the Congress Session at Gaya. Tilak's Home Rule campaign had gone to the background, and Gandhiji's Non Co operation Movement had also finished after his arrest in March 1922. At this historic Session a serious breach occurred in the Congress circle which ultimately got divided into two opposite camps—, the 'No Changers' and the 'Swarajists.' While the former represented by Rajagopalachari, Dr. Ansari, Babu Rajendra Prasad and Sardar Patel professed their unflinching faith in Gandhiji and his programme of boycott, the latter represented by Pandit Motilal Nehru, Lala Lajpat Rai, C. R. Das and Subhas Chandra Bose strongly opposed the boycott of the legislatures. They were the advocates of reform by parliamentary tactics, and attainment of the Swaraj by capturing the legislatures and destroying the structure of dyarchy from within.

The No Changers won the day. C. R. Das resigned from the presidentship of the Congress and started the Swaraj Party in collaboration with Pandit Motilal Nehru and Vithalbhai Patel. Thus came the split within the Congress. Bitter feelings arose between the No Changers and the Swarajists all over the country, and in some provinces rival Congress Committees were set up.

Abul Kalam Azad was released from prison when such a situation was rife in the political arena of India, with the Congress split up into two warring houses. The nation showed an utter lack of political harmony for which he had thought, the Congress had successfully prepared a good ground. He, therefore, tried to reconcile the two opposing parties. He issued a statement in which he declared "No programme could be held as sacrosanct. It had to be judged on its own merits."

Although Azad was a staunch follower of Gandhiji, yet he was correct in considering that the Mahatma's ideal of Non-Co-operation or Non-Violence could be of no practical value in the face of a division among the ranks of the Congress. It was, therefore, very important to find out some sort of co-ordination of activity, if not unity, between the two groups without identifying himself with either.

But one of the serious obstacles that he had to find in his way was the Jamiat-ul-Ulama, which had pledged itself to the Non-Co-operation Movement from its very outset; by issuing a *Fatwa* or religious injunction declaring co-operation with an alien Government to be sinful from the Islamic view-point. But there was no way back for them when Gandhiji suddenly changed his mind and ordered the suspension of the Non-Co-operation Movement. Political actions based upon religious injunctions cannot be worked like a machine to be started or stopped when desired. The Ulama would have made a joke of the Maulana if he had urged them to suspend the Movement in accordance with the behests of the Congress Dictator.

It was here that the cause of difference lay between the Muslims and the Hindus. It was here that the germs of the 'Divide and Rule' policy which had since long received a set back, seemed once again active. Says Mahadeo Desai "Something had conspired to root out from the mass-mind that spirit of brotherliness that seemed to have been fostered during 1919-22. The superficial faith in non violence was extinguished and no solution seemed to appeal to them save a resort to force. Religious fanatics in each community attacked the other's religion and sought to add to its fold men and women from the other community without the slightest regard to the means employed. The Mussalmans proclaimed their right to carry on *tabligh*, the Hindus replied by proclaiming their right to *shuddhi*. These attempts at conversions brought conflict after conflict in their train."

In January 1924, Gandhiji was released from prison. He found the entire country blazing with the fire of communal conflicts. Serious riots were reported to have occurred at Multan, Ajmer, Sambhal, Palwal, Saharanpur, Amethi and Kohat.

This was the natural result of stemming the tide of the mass awakening through Gandhiji's propaganda. He said "The awakening among the masses was a necessary part of the training. It is a tremendous gain. I would do nothing to put the people to sleep again."

With the house divided into two hostile camps, and with the people breaking one another's heads, the leaders had to face a very serious situation. At Delhi a special Session of the Congress was held under the presidentship of Abul Kalam Azad.

The Maulana's action saved the Congress from remaining a house divided and disintegrating by itself. He threw open all its doors and knocked off all its shackles. He knew that the Swarajists could do no special good to the country by entering into the Councils. "If anybody's conscience was elastic enough," said the Maulana, "and he could gulp down the oath of allegiance without compunction, he was welcome to go to the legislative bodies and curse the Government to his heart's content for its wrongs to the people. Those who desired to spend their impotent rage on the Government from the safe and comfortable seats in the legislative chambers, had every right to do so. Those who believed in the efficacy of moral pressure and *who, for some reason or other, were not prepared to work outside the legislatures, had nothing else to do but let off gas now and then in that safe atmosphere.*"

Thus, with an uncommon political sense the Maulana presented a formula upon which the Working Committee agreed, and accordingly, passed a resolution to the effect that all propaganda against entering the Councils was to be suspended and those of the Congressmen who had no objection against entering the legislatures *were at liberty to seek elections and non-co-operate with the Government from within; while those who did not believe in such a programme were to redouble their efforts to carry out the constructive programme of Gandhiji to achieve Swaraj by united efforts.*

That ended rival ideologies in a beautiful way.

VI

In November 1927, Lord Irwin, the then Viceroy, made an announcement about the appointment of the Statutory Commission on Reforms under the leadership of Sir John Simon. Its object was to elicit Indian opinion and present its proposals to Parliament, which would afterwards be referred to a Joint Parliamentary Committee to see up to what extent it was desirable to establish the principles of responsible Government in the country.

The announcement of the Simon Commission was a sudden cause of outburst among the Indians. As the Commission consisted only of a few members of the British Parliament and had no Indian members amongst them, the public took that it was an insult to the Indian intelligentsia. Almost everywhere voices arose high against the coming of the Commission, and a programme for its complete boycott was launched by the Congress. At the Annual Session of the Congress held at Madras in that year, Dr. Ansari stressed that 'the problem of the Hindu-Muslim differences must be solved once and for all,' and as a result of his efforts, the two main resolutions passed by the Unity Conference at Delhi were adopted by the Congress Committee.

The Congress also decided to 'organize public opinion by vigorous propaganda so as to persuade all shades of public opinion effectively to boycott the Commission.' The Maulana played a very important role in the boycott propaganda making a tour of the Punjab and organising complete *hartals* everywhere in the province at the time of the arrival of the Commission. During

these observances there were brutal *lathi* charges at Lahore where Lala Lajpat Rai was fatally assaulted. This increased the fervour of the demonstrators against the Commission. At Lucknow Pandit Jawaharlal Nehru and Govind Ballabh Pant were attacked and wounded among other volunteers by the police. This created greater resentment and more irritation against the Government.

The Council party of the Congress, under the leadership of Pandit Motilal Nehru was equally exasperated at the attitude of the Central Government. At the Calcutta Session of the Congress, Pandit Motilal had given a year's ultimatum to the Government for the offer of the Dominion Status to India, failing which the Congress were to launch its fight for complete independence. As the year of grace was at its end, the Congress resolved to call upon its members to resign from the Central Assembly; but Lord Irwin made an announcement for a meeting of Indian leaders to consider the opportunity when the Dominion Status was to be established in India. This was just an eye-wash and the Congress refused to co-operate with him unless there were signs of a real change of hearts. Meanwhile, the agitation was again gaining strength all over the country. Days passed in quick succession. The Viceroy made a final attempt to find out some basis of agreement. Pandit Motilal Nehru, Mohammad Ali Jinnah, Sir Tej Bahadur Sapru and Gandhi were invited for a close discussion with him, but the Government seemed to be poles apart from the Congress view-point. The interview came to nothing once again and the only way now left before

the Congress was to go ahead with its struggle for complete independence

In December 1929, Pandit Jawaharlal Nehru presided over the Annual Session of the Congress at Lahore. At this historic meeting the memorable resolution for complete independence of India was passed, and immediately after that event all Congress members of the Provincial and Central Legislatures were called upon to resign from their seats

January 26, 1930 was announced as the Independence Day to begin the fight for freedom

CHAPTER VI

THE DECLARATION OF INDEPENDENCE

"We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom and to enjoy the fruits of their toil and have necessities of life, so that they may have full opportunities of growth. We believe also that if any Government deprives a people of these rights and oppresses them, the people have a further right to alter it or to abolish it. The British Government in India has not only deprived the Indian people of their freedom, but has based itself on the exploitation of the masses, and has ruined India economically, politically, culturally and spiritually. We believe therefore, that India must sever the British connection and attain *Purna Swaraj* or Complete Independence.

"India has been ruined economically. The revenue derived from our people is out of all proportion to our income. Our average income is seven pice (less than 2½ pence) per day, and of the heavy taxes we pay 20% are raised from the Land Revenue derived from the peasantry, and 8% from the Salt Tax which falls most heavily on the poor.

"Village industries, such as hand-spinning, have been destroyed, leaving the peasantry idle for at least

four months in the year, and dulling their intellect for want of handicrafts, and nothing has been substituted, as in other countries, for the crafts thus destroyed

“Custom and currency have been so manipulated as to heap further burdens on the peasantry. British manufactured goods constitute the bulk of our imports. Customs duties betray clear partiality for British manufactures, and revenue from them is used not to lessen the burden on the masses but for sustaining a highly extravagant administration. Still more arbitrary has been the manipulation of exchange ratio, which has resulted in millions being drained away from the country.

“Politically, India’s status has never been so reduced as under the British regime. No reforms have given real political power to the people. The tallest of us have to bend before foreign authority. The rights of free expression of opinion and free association have been denied to us, and many of our countrymen are compelled to live in exile abroad and cannot return to their homes. All administrative talent is killed and the masses have to be satisfied with petty village offices and clerkships.

“Culturally, the system of education has torn us from our moorings and our training has made us hug the very chains that bind us.

“Spiritually, compulsory disarmament has made us unmanly and the presence of an alien army of occupation, employed with deadly effect to crush in us the spirit of resistance, has made us think that we cannot look after ourselves or put up a defence against

foreign aggression, or even defend our homes and families from the attacks of thieves, robbers and miscreants.

"We hold it to be a crime against man and God to submit any longer to a rule that has caused this four-fold disaster to our country. We recognise, however, that the most effective way of gaining our freedom is not through violence. We will, therefore, prepare ourselves by withdrawing, so far as we can, all voluntary association from the British Government, and will prepare for Civil Disobedience, including non-payment of taxes. We are convinced that if we can but withdraw our voluntary help and stop payment of taxes without doing violence, even under provocation, the end of this inhuman rule is assured. We, therefore, hereby solemnly resolve to carry out the Congress instructions issued from time to time for the purpose of establishing *Purna Swaraj*."

This pledge of Independence, which is equivalent to the American Declaration of Independence of July 4, 1776¹, was unanimously voted by the Indian National Congress on January 26, 1930. Since then January 26 means to India what July 4 means to Americans, July 14 to the French, October 10 to the Chinese and November 7 to the Russians. But with all the pent-up feelings, the dash of enthusiasm and the readiness of sacrifice in the very hour of the Declaration of Independence, our leaders could not think of their next step. Pandit Jawaharlal Nehru writes about the situation: "It was easier to declare independence

1. Text and comments given in Chapter II, Section VIII, *supra*

than to make it a reality. For two months the Congress remained fishing in uncertain waters and knew not what to do " "The great question," he continues, "that hung in the air now, was—how? What form of civil disobedience should we take up that would be effective, suited to the circumstances and popular with the masses?"

On March 2, 1930, Gandhi gave out that the Salt Tax was to be attacked, and the Salt Laws were to be broken. On the same day he addressed a letter to the Viceroy telling him that "on the 11th day of this month, I shall proceed with such co-workers of the *Ashram* as I can take, to disregard the provisions of the Salt Laws. I regard this tax to be the most iniquitous of all from the poor man's stand point. As the Independence Movement is essentially for the poorest in the land the beginning will be made with this evil. The wonder is that we have submitted to the *cruel monopoly for so long*. It is, I know, open to you to frustrate my design by arresting me. I hope that there will be tens of thousands ready in a disciplined manner, to take up the work after me and in the act of disobeying the Salt Act, to lay themselves open to the penalties of a law that should never have disfigured the Statute Book."

People were bewildered at the new move of Gandhi. They could not fit in the struggle for complete independence with the common salt. They took some time to understand that by breaking the Salt Laws Gandhi's aim was neither to organize a cheap supply of salt nor to break the salt monopoly of the Government, and he only wanted to show the people

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'how they should treat the unjust laws to which Indians were subjected under the existing alien administration.'

Gandhi's historic march to the Dandi sea beach to break the Salt Laws became a topic of interest all over the world. Salt manufacture became a craze throughout the country. *Hartals*, processions, *lathi-charges*, firings and arrests became common everywhere.

On May 5, Gandhi was arrested and the Working Committee of the Congress finding that the breach of Salt Laws alone would not serve any purpose, passed a resolution aiming at a complete boycott of the British goods, a strict social boycott of all Government officials, introduction of no-tax campaign, and condemnation of the Press ordinances by strict non-violent means.

Civil Disobedience Movement thus came into full swing.

II

In 1931, the Congress passed a resolution, and issued a historic document of great importance in the shape of The Fundamental Rights And Duties at its Karachi Session. It further defined the basic policy of the Indian National Congress after its Declaration of Independence in 1930, and guaranteed the civil liberties of the people—liberty of person, speech, religion, association, assembly, press, universal suffrage and rights of minorities. This document "provides the basis for an Indian Constitution eventually to be framed by an Indian Constituent Assembly based on universal suffrage. It is in effect India's Magna Carta.

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Bill of Rights, and Four Freedoms, plus the basic structure of a modern society combining economic socialization with democracy"¹ It runs as follows :—

"The Congress is of opinion that to enable the masses to appreciate what 'Swaraj' as conceived by the Congress will mean to them, it is desirable to state the position of the Congress in a manner easily understood by them. In order to end the exploitation of the masses, political freedom must include real economic freedom of the starving millions. The Congress, therefore, declares that any constitution which may be agreed to on its behalf should provide, or enable the Swaraj Government to provide for the following

Fundamental Rights and Duties

- (1) (i) Every citizen of India has the right of free expression of opinion, the right of free association and combination, and the right to assemble peacefully and without arms, for purpose not opposed to law or morality
- (ii) Every citizen shall enjoy freedom of conscience and the right freely to profess and practise his religion, subject to public order and morality.
- (iii) The culture, language and script of the minorities and of the different linguistic areas shall be protected.
- (iv) All citizens are equal before the law, irrespective of religion, caste, creed, or sex.

¹ *Revolution in India*, Frances Gunther (Allahabad),

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- (v) No disability attaches to any citizen, by reason of his or her religion, caste, creed, or sex, in regard to public employment, office of power or honour, and in the exercise of any trade or calling
- (vi) All citizens have equal rights and duties in regard to wells, tanks, roads, schools and places of public resort, maintained out of State or local funds, or dedicated by private persons for the use of the general public.
- (vii) Every citizen has the right to keep and bear arms in accordance with regulations and reservations made in that behalf.
- (viii) No person shall be deprived of his liberty nor shall his dwelling or property be entered, sequestered, or confiscated, save in accordance with law.
- (ix) The State shall observe neutrality in regard to all religions. The franchise shall be on the basis of universal adult suffrage.
- (x) The State shall provide for free and compulsory primary education.
- (xi) The State shall confer no titles
- (xii) There shall be no capital punishment.
- (xiii) Every citizen is free to move throughout India and to stay and settle in any part thereof, to acquire property and to follow any trade or calling, and to be treated equally with regard to legal prosecution or protection in all parts of India

Labour

- (2) (a) The organization of economic life must

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conform to the principle of justice, to the end that it may secure a decent standard of living

- (b) The State shall safeguard the interests of industrial workers and shall secure for them, by suitable legislation and in other ways, a living wage, healthy conditions of work, limited hours of labour, suitable machinery for the settlement of dispute between employers and workmen, and protection against the economic consequences of old age, sickness, and unemployment
- (3) Labour to be freed from serfdom and conditions bordering on serfdom
- (4) Protection of women workers and specially, adequate provision for leave during maternity period
- (5) Children of school going age shall not be employed in mines and factories
- (6) Peasants and workers shall have the right to form unions to protect their interests'

In the same year (1931), in addition to the above demand, the Congress further proclaimed the organisation of the national defence in the following words

"The State shall provide for military training of citizens so as to organize a means of national defence apart from the regular military force"

III

The conflict between the Nationalists and the Government took a serious turn when the extremists and terrorists in Bengal and the Punjab took to the bomb

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and revolver picking out Government officials for assassination, loot and arson. Lord Irwin, though unable to concede to the Congress demands took the opportunity of negotiating with Gandhiji through Sir Tej Bahadur Sapru and M R Jayakar. The members of the Working Committee were all set free to consider the terms of the settlement and prepare a way for peace.

The Gandhi Irwin talks prolonged over several days and at every moment it was feared that the break might come as usual. The members, therefore, conferred together about their future plans regarding Civil Disobedience. But on the 4th March, 1931 Gandhiji returned from the Viceroy's House after making the following settlement with him :

"The Congress, having considered the provisional settlement between the Working Committee and the Government of India, endorses it, and desires to make it clear that the Congress goal of *Purna Swaraj* (Complete Independence) remains intact. In the event of the way being otherwise open to the Congress to be represented at any Conference with the representatives of the British Government, the Congress delegation will work for this objective and, in particular, so as to give the Nation *control over the Defence forces*, External Affairs, finance, fiscal and economic policy, and to have a scrutiny, by an impartial Tribunal, of the financial transactions of the British Government in India and to examine and assess the obligations to be undertaken by India or England, and the right of either party to end the partnership at will and to make India free to accept such adjustments as may be demonstrably necessary in its interests.

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"The Congress appoints and authorises Mahatma Gandhi to represent it at the Conference with the addition of such other delegates as the Working Committee may appoint to act under his leadership"

Accordingly, the Civil Disobedience Movement was withdrawn, and the principle of federation with responsibility in the Central Government was accepted by the Congress, but the vital question of Independence remained untouched

The Gandhi-Irwin talks, the call for the Second Round Table Conference and the participation of Gandhi as the sole representative of the Congress amounted to nothing, because it was constituted so as to fail in the long run. About the failure of the Round Table Conference, Mr. H. N. Brailsford writes in a beautifully clear diction: "The Round Table Conference met in London in 1931. The idea of eliciting from a gathering of representative Indians a plan for the future government of their country sprang from a good intention. But in fact it was not Indians but the Viceroy and his officials who chose these representatives. What they did was to catalogue with scrupulous care every creed, every party, every racial minority, every interest in the peninsula. In St. James' Palace they did assemble, Princes and untouchables, Sikhs, Muslims, Hindus and Christians, spokesmen of land-owners, trade-unions and chambers of commerce, but Mother India was not there. From this nation of peasants not a single peasant nor any spokesman of the peasantry took his seat. The leaders of Congress were enjoying official hospitality elsewhere. A truce did,

1 *Subject India, (Bombay)*, pp. 46-47

indeed, permit Gandhi to attend the second session of the Conference, in an interval between two imprisonments, but he made a poor use of his opportunities. The delegates entered as Muslims, Sikhs or Hindus, and Muslims, Sikhs or Hindus they remained to the end. From such a Conference no Indian idea, no decisive majority and no coherent plan could emerge."

The inability of the communities to come to an agreement was given as the cause of the failure of the Second Round Table Conference. Gandhiji returned empty-handed from England and resumed his Civil Disobedience Movement. At this juncture the Muslims refused to join the Movement since they had seen its futility for a sufficient time in the past.

The gulf of the Hindu Muslim differences began to widen now. The Hindus and Muslims could not come to an agreement because, while the Hindus demanded joint electorates with reservation of seats for the minorities, the Muslims urged for separate electorates on communal basis.

But notwithstanding the clash of interest, the Movement was again put in force, and within a week's time of the start Gandhiji and Patel were arrested and imprisoned for an indefinite period without any trial. The local Congress Committees were declared unlawful associations. Bengal, Bihar, U. P., and Bombay were the main theatres of activity; but the most important part was played by the North-Western Frontier Province where in proportion to the number of the population, more of the Muslims went to jails than any other community in the country. About a lakh of men and women were arrested all over India, and heavy fines

and sentences of imprisonment were imposed to root out the national spirit from the country

Thus, the strong hands of the Government suppressed the Civil Disobedience Movement, which by 1933 reached its lowest ebb

Gandhiji, on his release in 1933, started his *Harijan* movement. It was a reply to the 'Communal Award,' and by diverting his activities in this way he let his old Civil Disobedience Movement die a natural death. Finally on August 4, 1933, Gandhiji set his seal upon its coffin declaring "I feel that the masses have not received the full message of *Satyagraha* owing to its adulteration in the process of transmission. I give this opinion as the author and initiator of *Satyagraha*. Henceforth, therefore all who have been impelled to civil resistance for *Swaraj* under my advice, directly given or indirectly inferred, will desist from civil resistance. I am quite convinced that this is the best course in the interests of India's fight for freedom "

The All-India Congress Committee met to consider the new situation, and after some deliberation resolved to revive the Parliamentary activities by re-entering the legislatures. Thus, the *Swaraj* Party once again came into prominence. Maulana Azad, who had been released by that time, contributed with Dr. Ansari, to the formation of a Congress Parliamentary Board by satisfying their colleagues that "it was not only the right, but it was the duty of every Congressman, who for some reason or other did not want to or could not take part in civil resistance and who had faith in entry into the legislatures to seek entry and form combinations in order to prosecute the programme "

IV

Political jealousy and distrust are the two main causes of the Hindu-Muslim quarrels For selfish ends the individuals instigate their respective communities to fall upon one another's heads and all this trouble is created for a few seats in the Assemblies and a few crumbs from the table of the Viceroy. Nothing but jealousy and suspicion works behind these quarrels which are always given such prominent religious touches by both the Hindus and the Mussalmans

The activities of the *Swaraj* Party estranged the Muslims in no small a degree. A further cause of disruption was the revival of the Muslim League in 1934 when Mohammad Ali Jinnah was elected its President. In his very first speech Jinnah asked the Government to give a complete assurance of the safeguards to Muslims in the future constitution of India. Explaining the cause of this change of his opinion he said: "Many efforts have been made since 1924 till the Round Table Conference to settle the Hindu-Muslim question. At that time there was no pride in me and I used to beg from the Congress. I worked so incessantly to bring about a rapprochement that a newspaper remarked that Mr. Jinnah is never tired of Hindu-Muslim unity. But I received a shock of my life at the meetings of the Round Table Conference. In the face of danger the Hindu sentiment, the Hindu mind and the Hindu attitude led me to the conclusion that there was no hope of unity."

There was no hope of unity, only because the old Divide and Rule policy of the rulers of this land was

in active operation in its back-ground. The Muslim League thus got a footing.

The Report of the Joint Select Committee of the Houses of Parliament, which subsequently formed the basis of the Government of India Act of 1935, was published in October 1934. It was debated in February 1935; the Congress moved that the scheme must not be accepted since it gave no real power to the Indian people, but the Muslim League did not reject it completely. It accepted the Communal Award 'until a substitute was agreed upon by the various communities concerned;' but it denounced the plan of an All-India Federation as something fundamentally bad and totally unacceptable for the reason that 'it was devoid of all basic and essential elements, and it would lead them to nothing but bitterness and ill-will, and nothing but wrangles in the so-called Federal Legislature'. The League, however, accepted the latter part of the Act which dealt with the Provincial Autonomy, and the amendments proposed to the official resolution by Jinnah as the representative of the League, were adopted.

The rejection of the Federation part of the Act of 1935 was a great achievement of Jinnah and the Muslim League, because without that there could have been no demand for Pakistan in the coming years.

The temper of the Muslim League thereafter became 'predominantly radical,' and in the forthcoming Constitution it presented a very strong front against the Congress. At its Bombay session in 1936, the League passed a resolution condemning the 1935 Act as vigorously as the Congress had done before, but

while the Congress had rejected it on the whole, the League, as said above, accepted the Provincial Scheme of the Constitution. The main provisions of this Act were as under —

- (i) It compelled the development of Provincial autonomy by giving the Provinces a separate legal personality and liberating them entirely from Central control except for certain specific purposes.
- (ii) It established full responsible government, subject to 'safe-guard,' in all the Provinces (which, with the new Provinces of Sind and Orissa, now numbered eleven).
- (iii) It established 'The Federation of India,' comprising both Provinces and States, with a Federal Central Government and Legislature for the management of Central subjects.
- (iv) Dyarchy, abolished in the Provinces, was reproduced at the Centre. The subjects of foreign affairs and defence were 'reserved' to the control of the Governor-General the other Central subjects were 'transferred' to Ministers, subject to similar 'safeguards' as in the Provinces.
- (v) The federal principle was recognised in the provisions for the indirect or Provincial election to the lower House of the Central Legislature, but in general the constitution accorded more with the closer than with the looser type of federation.
- (vi) On the other controversial issues, the Act maintained the policy of 1917. On the one

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hand it confirmed and extended parliamentary government in the Provinces and introduced it at the Centre. on the other hand it retained separate electorates, both Provincial and Central, distributing the seats on the lines of the ' Communal Award '

- (iii) As to Dominion status, it was officially declared that the provisions of the Act which precluded full self-government, were to be regarded as transitional and it was maintained that, mainly by usage and convention, India under the new constitution might quickly acquire the same freedom, internal and external, as that of the other members of the British Commonwealth ¹

About this Act, Pandit Jawaharlal Nehru said "Independence cannot be given. It cannot be got through a new charter of slavery." He vehemently denounced the "astonishing and fatal suggestion" by which, he said, "independence itself will fade away and narrowest provincialism raise its ugly head. Our policy must be uniform for the whole of India, and it must place first things first, and independence is the first thing of all."

This resulted in a conflict within the two wings of the Congress, and the Pandit was denounced by many a Congress official and their press organs. Ultimately, with the help and advice of Maulana Azad and Gandhi, the Congress Working Committee issued a note stating that the Congressmen shall enter the legislatures 'not

1 *Indian Politics 1936-1942*, R. Coupland (Oxford)

to co-operate in any way with the Act, but to combat it and seek the end of it.'

On July 7, the Working Committee of the Congress resolved that the Congressmen be permitted to accept office when they might be invited thereto. A Parliamentary Sub Committee consisting of three of its 'veterans, tried, trusted and true, all of whom had an axe to grind—Maulana Abul Kalam Azad, Babu Rajendraprasad and Sardar Vallabhbhai Patel' was formed at the Congress headquarters. It was given the responsible and intricate task of guiding the Congress ministries in different provinces and directing the Congress members in the Legislatures, and taking necessary action where necessary.

V

The Congress Ministries took office in Bombay, Madras, the Central Provinces, the United Provinces, Bihar, Orissa and last of all in the North-Western Frontier Province in July 1937, and resigned in October 1939 after a rule of twenty-seven months. The Muslim League was then a relatively small body which had yet to establish the claim that the Muslims were a separate unit having a distinct claim for its rights. Jinnah started his work to contend the Congress in the aforesaid period. The Congress High Command ordered that there should be no Congress-League coalition in any province, and that the provincial ministries should consist entirely of Congressmen.

Thus, the Hindu-Muslim antagonism increased once again. There were serious Hindu-Muslim clashes at Jubbulpore, Allahabad and Benares during 1937. In

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April 1938, there was a riot in Bombay and again in July and August there were serious clashes at several places in Bihar, United Provinces, the Frontier and Madras. Such disturbances went on in the country throughout the entire regime of twenty seven months of the Congress Ministries. "For twenty-seven months," says Mr. Z. A. Suleri, "Congress remained in power and for twenty-seven months the Muslim League under Jinnah's guidance remained on the watch gathering instances of the manifestation of Hindu mentality at work, till was piled up the *Pirpur Report*. . . Gandhi's seventeen year long unchallenged leadership of Indian politics could not have done for the 'unification' of Indians, what twenty-seven months of Congress regime did to disrupt that 'unity' facade. *The Congress Rule was a Godsend chance to Jinnah* . " In short, certain incidents, probably created by a third party in the country—the exponents of the Divide and Rule formula—heightened the Hindu-Muslim tension resulting in rioting and bloodshed. Jinnah, therefore, took up arms to combat the Congress Governments' policy 'of the systematic persecution of the Muslims' by constitutional methods similar to those which the Congress itself had since long applied against the Government of India. It was resolved at the Patna session of the League in December 1938 "That the time has come to authorize the Working Committee of the All-India Muslim League to decide and resort to direct action if and when necessary "

Again, in the same year, the All India Muslim League met at Karachi and resolved "This Conference, in the interests of abiding peace of the vast

Indian Continent and of unhampered cultural development, economic and social betterment, and *political self-determination* of the Hindus and Muslims recommends to the All India Muslim League to review the entire question of what should be a suitable constitution for India, which will secure an honourable and legitimate status due to the Muslims, and further devise a scheme of constitution under which the Muslims may attain full independence."

Fortunately, the threat of *direct action* and the adoption of the well tried Congress weapon of Civil Disobedience was not taken up by Jinnah, for the War-clouds suddenly darkened the political horizon and the Congress opposition of the Government became stronger than ever before.

Without their advice or consent, India's millions found themselves at war with the Axis. The British Parliament voted extraordinary powers to the Viceroy, who to meet the war emergency desired the assistance and collaboration of Indians. The Government, therefore, offered to form 'a consultative group' with which the Viceroy was to discuss the conduct of the War from time to time. This, it declared, was an interim substitute for a responsible self-government at the Centre, but the Congress did not wish 'to bargain' at the moment. It was, therefore, resolved that "India must be declared an independent nation, and present application must be given to this status to the largest possible extent."

Lord Linlithgow, the then Viceroy interviewed some fifty leaders of different political parties in India to deal with the British Government's war aims, its inten-

tions as to the future status of India, and the closer association of India for the prosecution of the war.' This drove the Congress into action, which repudiated the Viceroy's scheme on the grounds that the Congress represented not any particular group or community, but the whole of the Indian nation. It had already withdrawn its representatives from the Central Assembly in August 1939 as a protest against sending of the Indian troops outside the country, so at this juncture it called upon the Congress Ministries in the provinces to tender their resignations.

Accordingly, the Congress Ministries resigned by November 15, 1939, and a few weeks thereafter the Muslim League observed the *Deliverance Day* all over the country, for the Muslim population in the eight Congress provinces believed to have been relieved of the Congress rule. On that occasion Jinnah declared "The British people must realise that Hinduism and Islam represent two distinct and separate civilisations and, moreover, are as distinct from one another in origin, tradition and manner of life as are nations of Europe . . . They are in fact two different nations, and if this fact is accepted by no less an authority than the Joint Select Committee, the Muslim people have cause to question the wisdom of the British Government in forcing on India the Western system of democracy without the qualification and limitations to which the system must be subject to make it at all suitable for Indian conditions . . . A parliamentary system based on the majority principle must inevitably mean the rule of the major nation. Experience has proved that, whatever the economic and political programme

of any political party, the Hindu, as a general rule, will vote for his caste-fellow and the Muslim for his co-religionist .. Therefore, Western democracy is totally unsuited for India and its imposition will be resisted by the Mussalmans "

This difference of beliefs led to the widening of the gulf of communal differences which further led to air the partition scheme, and the birth of Pakistan in March 1940, when at the Lahore session of the League, the famous resolution was passed .

" Resolved that it is the considered view of this session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principles, viz., that geographically contiguous units are demarcated into regions which should be so constituted with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority, as in the North-Western and Eastern zones of India, should be grouped to constitute 'Independent States' in which the constituent units shall be autonomous and sovereign Adequate, effective and mandatory safeguards should be specifically provided in the constitution for minorities in the units and in the regions for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them and in other parts of India where the Mussalmans are in a minority, adequate, effective and mandatory safeguards shall be specifically provided in the Constitution for them and other minorities, for the protection of their religious,

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cultural, economic, political, administrative and other rights and interests in consultation with them. The session further authorizes the Working Committee to frame a scheme of Constitution in accordance with these basic principles, providing for the assumption finally by the respective regions of all powers such as defence, external affairs, communications, customs and such other matters as may be necessary."

Thus, the Hindu Muslim schism led to the foundation of an 'Empire'.

The pith and soul of Pakistan is that the Muslims are a separate nation. In words of Jinnah: "The Muslims are a nation. Our outlook is not only fundamentally different but often radically antagonistic to the Hindus. We are different *beings*. There is nothing in life which links us together. Our names, our clothes, our food—they are all different; our economic life, our educational ideas, our treatment of women, our attitude to animals. . . We challenge each other at every point of compass. Take one example, the eternal question of the cow. We eat the cow, the Hindus worship it. A lot of Englishmen imagine that this 'worship' is merely a picturesque, an historical survival. It is nothing of the sort. Only a few days ago, in this very city, the cow question became a matter for the police. The Hindus were thrown into the greatest agitation because cows were being killed in public. But the cow question is only one of a thousand."

Thus, while Jinnah proclaimed that there were two nations in India—the Hindus and Muslims—

J. Verdict on India, Beverley Nichols (Bombay), p. 100

the Congress believed in the existence of one and only one.

In the same year (1940), Maulana Abul Kalam Azad was appointed President of the Congress. He was a staunch believer of the attainment of freedom through a united India. He, therefore started a ceaseless campaign against the policy of Pakistan and efforts to divide the Hindus and Muslims. He declared in his famous presidential address at Ramgarh in that year: "I would remind my co religionists that today I stand exactly where I stood in 1912 when I addressed them on this issue. I repeat today what I have been saying throughout this entire period, that the ninety millions of Mussalmans of India have no other right course of action than the one to which I invited them in 1912.

"I am a Mussalman, and feel proud that I am so, for the thirteen-hundred years' glorious traditions of Islam have come to my inheritance. I am, therefore, not prepared to part with its least part. Islamic education, history, sciences, arts and culture are the riches in my possession, and it is my duty to protect them. As a Mussalman, I hold a distinct position in the cultural field, wherein I cannot stand any interference. But with all these feelings, I possess another instinct which the realities of my life have created and from which the spirit of Islam cannot check me. It is that I am proud of feeling that I am an Indian and a member of the indivisible and united nationality of India."

But to Jinnah self^h reliance and self-organisation of the Muslims was the^e basis of all future advance for

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the ultimate goal. To Muslims he said: "Muslim India will never agree to submit its future destiny and fate or its rights in the governance of this country, or in the making of any future constitution, into the hands of a tribunal of Mr. Gandhi's conception, or of any other variety; nor are we prepared to accept the final arbitrament of Great Britain. We must and shall be the sole and final judges of what is best for us. . . We shall fight for it to the last ditch" Pakistan became the cry of the day, and it was there that the Congress found in Jinnah the most 'arrogant,' 'uncompromising' and 'unrelenting' antagonist in its political sphere.

VI

While the trumpets blared aloud and the furnaces blazed aloft in the course of the war, the Congress thought it high time to coerce the British into conceding their demands. After the Dunkirk and the collapse of France, it offered its *complete military co-operation under a national Indian government*. This generous offer was, however, rejected by the British at their darkest hour of fortune, because the condition of 'an immediate step for a provisional National Government to be constituted at the Centre' was not acceptable to them. All attempts to reach an agreement having failed, the Viceroy on August 8, 1940—on the eve of the Battle of Britain—issued a new declaration of the British policy, known afterwards as the *August Offer*. It was a statement made by the Viceroy on behalf of the British Government, and it ran as under:—

"India's anxiety at this moment of critical impor-

tance in the world struggle against tyranny and aggression to contribute to the full to the common cause and to the triumph of our common ideals is manifest. She has already made a mighty contribution. She is anxious to make a greater contribution still. His Majesty's Government are deeply concerned that unity of national purpose in India which would enable her to do so should be achieved at as early a moment as possible. They feel that some further statement of their intention may help to promote that unity. In that hope they authorised me to make the present statement.

"Last October His Majesty's Government again made it clear that Dominion Status was their objective for India. They added that they were ready to authorise the expansion of the Governor-General's Council to include a certain number of representatives of the political parties, and they proposed the establishment of a consultative committee. In order to facilitate harmonious co-operation, it was obvious that some measure of agreement in the Provinces between the major parties was a desirable prerequisite to their joint collaboration at the Centre. Such agreement was, unfortunately, not reached, and in the circumstances no progress was then possible.

"During the earlier part of this year I continued my efforts to bring the political parties together. In these last few weeks I again entered into conversations with prominent political personages in British India and the Chancellor of the Chamber of Princes, the results of which have been reported to His Majesty's Government. His Majesty's Government

have seen also the resolutions passed by the Congress Working Committee, the Muslim League and the Hindu Mahasabha.

"It is clear that earlier differences which had prevented the achievement of national unity remained unbridged. Deeply as His Majesty's Government regret this, they do not feel that they should any longer, because of those differences, postpone the expansion of the Governor General's Council, and the establishment of a body which will more closely associate Indian public opinion with the conduct of the war by the Central Government. They have authorised me accordingly to invite a certain number of representative Indians to join my Executive Council. They have authorised me further to establish a War Advisory Council which would meet at regular intervals and which would contain representatives of the Indian States and of other interests in the national life of India as a whole.

"The conversations which have taken place, and the resolutions of the bodies which I have just mentioned, made it clear, however, that there is still in certain quarters doubt as to the intentions of His Majesty's Government for the constitutional future of India, and that there is doubt, too, as to whether the position of minorities, whether political or religious, is sufficiently safeguarded in relation to any future constitutional change by assurances already given. There are two main points that have emerged. On those points His Majesty's Government now desire me to make their position clear.

"The first is as to the position of the minorities in

relation to any future constitutional scheme. It has already been made clear that my declaration of last October does not exclude examination of any part either of the Act of 1935 or of the policy and plans on which it is based. His Majesty's Government's concern that full weight should be given to the views of minorities in any revision has also been brought out. That remains the position His Majesty's Government

"It goes without saying that they could not contemplate transfer of their present responsibilities for the peace and welfare of India to any system of government whose authority is directly denied by large and powerful elements in India's national life. Nor could they be parties to the coercion of such elements into submission to such a government.

"The second point of general interest is the machinery for building within the British Commonwealth of Nations the new constitutional scheme when the time comes. There has been very strong insistence that the framing of that scheme should be primarily the responsibility of Indians themselves, and should originate from Indian conceptions of the social, economic and political structure of Indian life. His Majesty's Government are in sympathy with that desire and wish to see it given the fullest practical expression, subject to the due fulfilment of the obligations which Great Britain's long connection with India has imposed on her and for which His Majesty's Government cannot divest themselves of responsibility. It is clear that a moment when the Commonwealth is engaged in a struggle for existence is not one in which fundamental constitutional issues can be decisively

resolved. But His Majesty's Government authorise me to declare that they will most readily assent to the setting up after the conclusion of the war with the principal elements in India's national life in order to devise the framework of the new Constitution, and they will lend every aid in their power to hasten decisions in all relevant matters to the utmost degree. Meanwhile they will welcome and promote in any way possible every sincere and practical step that may be taken by representative Indians themselves to reach a basis of friendly agreement, first upon the form which the post-war representative body should take and the methods by which it should arrive at its conclusions, and secondly, upon the principles and outlines of the Constitution itself. They trust, however, that for the period of the war (with the Central Government reconstituted and strengthened in the manner I have described, and with the help of the War Advisory Council) all parties, communities and interests will combine and co operate in making a notable contribution to the victory of the world cause which is at stake. Moreover, they hope that in this process new bonds of union and understanding will emerge, and thus pave the way towards the attainment by India of that free and equal partnership in the British Commonwealth which remains the proclaimed and accepted goal of the Imperial Crown and of the British Parliament."

The 'August Offer' renewed the promise of Dominion Status to Indians by firstly fixing its date as 'immediately after the war with the least possible delay,' and secondly making the people of this country as 'primarily responsible' for framing the kind of

constitution they wanted for themselves. The offer was rejected by the people, because it fell short of satisfying them for the duration of the war except adding a few Indian members to the Viceroy's Council having 'only duties secondary even in time of peace,' and living on the hope of a bright future. About its failure Professor Coupland writes. "Critics of this 'August Offer' have asserted that it missed the last chance of bringing the Congress into the war. Under stress of the crisis in Europe the majority of the Working Committee had proved their desire to defend their country by throwing Mr. Gandhi overboard. If the British Government had responded more wholeheartedly to this new mood, might they not have brought about a settlement?"

The Congress reaction to the 'August Offer' was quite violent. The President,—Maulana Azad, refused to discuss the statement with the Viceroy saying that it was the initial blunder of his to invite representatives of all possible groups and interests, without regard for the fact that many of those groups were no real minorities. "The whole minority problem," said the Maulana, "is a creation of the British Government, and is the culmination of a steady prosecution of the policy of 'Divide and Rule' over a period of well nigh four decades." The Working Committee following his lead, and resolved that "the British refusal to part with power and responsibility in favour of the elected representatives of the people of India. . . is a direct encouragement and incitement to civil discord and strife. . . The issue of the minorities has been made into an insuperable barrier to India's progress. . .

The rejection of the Congress proposals is proof of the British Government's determination to continue to hold India by the sword. The desire of the Congress not to embarrass the British Government at a time of peril for them has been misunderstood and despised."

As a result of this resolution, the Congress once again decided to launch the Civil Disobedience Movement under the guidance of Gandhiji, entrusting him all powers of 'war and peace,' and relying solely on the method of non-violent non co operation in its fight for freedom. On September 15, Maulana Azad declared that the time had come to take the next step. The Congress leftists wanted the Civil Disobedience Movement to be organised on the largest possible scale, but Gandhiji insisted on an *individual* or *representative* Satyagraha to be conducted only by those individuals whom he himself would choose for the purpose. Accordingly, the *individual* Satyagraha Movement was put into force and continued throughout the course of the year 1941 until the Japanese attacked Pearl Harbour and 'gave a new and ominous turn to the war' and the Indian political affairs.

VII

The Tokyo radio began to cry itself hoarse that the Japanese, linked with the Indians by the Buddhist faith, were coming only to relieve them of the clutches of the British tyranny. The spectacular advance of the Japanese in the ensuing winter and their penetration into Malaya and Burma shook the security of this country. Anti-British feelings grew more intense and the Japanese propagandists made the

Congress believe that 'the British Empire was collapsing and would drag India down with it.' Thus in the face of so great a danger, the Viceroy made an appeal to the country for a united action to defeat the enemy. The Congress leaders and workers were released from jails, and under instructions from Gandhiji a meeting of the Working Committee was convened to review the situation. The Committee decided to start a 'parallel Government' in order to cope with the coming emergency by itself, rather than to modify its previous demands. The President,—Maulana Azad, declared: "I am prepared to accept the independence of my country at any moment... The only thing is that it should be real independence." And the only Congressite of note who advocated an agreement with the other important political party in the country, viz., the Muslim League, for making a united national front to solve the political deadlock, and to fight for the freedom of the country, was Rajagopalachari; but the League on its side, reiterated its claim for Pakistan as the only solution of the constitutional problem of the country. It believed in Pakistan to be the only and the safest course for the freedom of India, for Pakistan "offered no insuperable difficulties, economic, ethnographic, political or strategic." It further declared that this was "of course a major surgical operation, but unfortunately there were occasions in the lives of nations, as of individuals, when major surgical operations were not only desirable but vitally necessary."

On the issue of its participation in the war efforts, the League made its position clear. It said, that it

would not obstruct such efforts for it was more concerned with the longer, but easier way of the attainment of Pakistan through the success of the British arms rather than inviting the Japanese bayonets on the Indian soil in the vain hope of an immediate decision of its fate. Said Jinnah "We promise to give a great deal in men, money and other materials—in fact the whole-hearted support of ninety million of the Muslims. I am prepared to bring to the common pool all this, but I must have equal, real and effective share in the power"

Thus the League and the Congress both stood their grounds with equal firmness

THE MISSION THAT FAILED

FOUR days after the fall of Rangoon, the British War Cabinet unanimously decided to send Sir Stafford Cripps to India to discuss with her political leaders a new Draft Declaration of the British policy towards this country. This Declaration, known afterwards as the Cripps Offer, was as follows:—

“His Majesty’s Government having considered the anxieties expressed in Great Britain and in India as to the fulfilment of the promises made in regard to the future of India, have decided to lay down in precise and clear terms the steps which they propose shall be taken for the earliest possible realisation of self-government in India. The object is the creation of a new Indian Union which shall constitute a Dominion, associated with the United Kingdom and the other Dominions by a common allegiance to the Crown, but equal to them in every respect, in no way subordinate in any aspect of its domestic or external affairs.

“His Majesty’s Government therefore make the following declaration.—

- (a) Immediately upon the cessation of hostilities, steps shall be taken to set up in India, in the manner described hereafter, an elected body charged with the task of framing a new Constitution for India.

THE MISSION THAT FAILED

- (b) *Provision shall be made, as set out below, for the participation of the Indian States in the constitution-making body*
- (c) *His Majesty's Government undertake to accept and implement forthwith the Constitution so framed subject only to —*
- (i) *the right of any province of British India that is not prepared to accept the new Constitution to retain its present constitutional position, provision being made for its subsequent accession if it so decides*

“With such non acceding provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new Constitution, giving them the same full status as Indian Union, and arrived at by a procedure analogous to that here laid down

- (ii) *the signing of a Treaty which shall be negotiated between His Majesty's Government and the constitution making body. This Treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands, it will make provision, in accordance with the undertakings given by His Majesty's Government, for the protection of racial and religious minorities, but will not impose any restriction on the power of the Indian Union to decide in the future its relation to the other Member States of the British Commonwealth.*

“Whether or not an Indian State elects to adhere to the Constitution, it will be necessary to negotiate a

revision of its Treaty arrangements, so far this may be required in the new situation.

- (d) the constitution-making body shall be composed as follows, unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of hostilities.—

Immediately upon the result being known of the provincial elections which will be necessary at the end of hostilities, the entire membership of the Lower Houses of the Provincial Legislatures shall, as a single electoral college, proceed to the election of the constitution-making body by the system of proportional representation. This new body shall be in number about one-tenth of the number of the electoral college.

Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of the representatives of British India as a whole, and with the same powers as the British Indian members.

- (e) During the critical period which now faces India and until the new Constitution can be framed His Majesty's Government must inevitably bear the responsibility for and retain control and direction of the defence of India as part of their world war effort, but the task of organising to the full the military, moral and material resources of India must be the responsibility of the Government of India with the co-operation of the people of India.

THE MISSION THAT FAILED

"His Majesty's Government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country of the Commonwealth and of the United Nations. Thus they will be enabled to give their active and constructive help in the discharge of a task which is vital and essential for the future freedom of India." (30th March, 1942)

The principal feature of the Cripps Offer was that it went some considerable distance towards satisfying Indian opinion. It suggested the right of self determination for every province and the formation of one or more Indian Unions. For matters of defence, the British Government wanted to retain their complete control as part of their world war effort.

The Viceroy declared that the bold and generous offer of Cripps gave India a great opportunity to solve her problem, and that the offer was made in the hope that when war had come so close to India and threatened its national life, it might arouse, as in other countries, a spirit of unity and co-operation that would have over-ridden political differences in the hour of danger, but the hope was not fulfilled.

The Congress President declared that he would be the first man to draw the sword in defence of his country provided an immediate declaration of Independence was made for India. By this he meant 'not Dominion Status, but a break away from the British Crown and Commonwealth,' for the Cripps Offer contained a most unsatisfactory interim arrangement for the country. To him the most undesirable and unacceptable feature of the offer was the right accorded to a province or state to accept or refuse the new constitution and to

retain its present constitutional position. This was to him, a move to paralyse and ultimately to crush the ideal of a free and united India. It meant that India would be divided into independent units whenever the provinces or states chose to separate themselves from the principal Union. Further, it meant to him the perpetual suzerainty of the British, since no individual province or state was likely to retain its political independence in such circumstances, and would have been obliged to seek their patronage and help against each other.

Jinnah insisted as strongly as Azad on the question of independence, but he did not ask for an immediate declaration. He fiercely opposed the Congress programme making it clear that 'no interim constitutional change must be made which might prejudice the principle of Pakistan.'

Although Pakistan was recognised by implication in the Draft Declaration, its primary object was to create one Indian Union, 'the creation of more than one Union being relegated only to the realm of remote possibility.' But since this clause afforded 'the same full status as the Indian Union' to the non-acceding provinces, the Maulana was greatly disappointed at the offer, and declared that it was the old 'Divide and Rule' spirit that had actuated the British to make such an offer. On this point Jawaharlal Nehru stated: "Thirty year ago, the British Government introduced the principle of separate religious electorates in India, a fatal thing which has come in the way of development of political parties. Now they have tried to introduce the idea of partitioning India, not only into two, but possibly many separate parts. This was one

of the reasons which led to bitter resentment of the Cripps's proposals. The All India Congress could not agree to this.

On April 10, 1942, Maulana Azad wrote to Cripps: "The new picture that you placed before us was really not very different from the old, the difference being one of degree and not of kind. The new government could neither be called, except vaguely and inaccurately, *nor could it function as a National Government*. It would just be the Viceroy and his Executive Council with the Viceroy having all his old powers. We did not ask for any legal changes but we did ask for definite assurances and conventions which would indicate that the new government would function as a free government. While we cannot accept the proposals you have made, we want to inform you that we are yet prepared to assume responsibility provided a truly National Government is formed. We are prepared to put aside for the present all questions about the future, though as we have indicated, we hold definite views about it. *But in the present state the National Government must be a Cabinet Government with full power, and must not merely be a continuation of the Viceroy's Executive Council*.

Sir Stafford Cripps replied explaining his offer in the light of the Maulana's objections. "The real substance of your refusal to take part in a National Government is that the form of Government suggested is not such as would enable you to rally the Indian people as you desire. You made two suggestions. First that the constitution might now be changed. In this respect I would point out that you made this suggestion for the first time last night, nearly three

weeks after you had received the proposals, and I would further remark that every other representative with whom I have discussed this view has accepted the practical impossibility of any such legislative change in the middle of a war and at such a moment as the present. Second, you suggest 'a truly National Government' be framed which must be 'Cabinet Government with full power'. Without constitutional changes of a most complicated character and on a very large scale, this would not be possible as you realise. Were such a system to be introduced by convention under the existing circumstances the nominated Cabinet (nominated presumably by the major political organisations) responsible to no one but itself, could not be removed and would in fact constitute an absolute dictatorship of the majority. This suggestion would be rejected by all minorities in India, since it would subject all of them to a permanent and autocratic majority in the Cabinet. Nor would it be consistent with the pledges already given by His Majesty's Government to protect the rights of those minorities. In a country such as India, where communal divisions are still so deep, an irresponsible majority Government of this kind is not possible."

Thus, the break came at the end because the Government were unwilling to make a real and immediate transfer of power by which the leaders of Indian opinion could organise their people for the defence of this country. On the contrary, what they were being offered, was a few more seats under the Viceroy in the Council, which was anything but a National Government.

II

On May 2, 1942, the All India Congress Committee met at Allahabad and made Gandhiji the undisputed master of the Congress movement. This veteran leader, seeing that the British were 'at the lowest ebb of their power' insisted on the 'immediate abdication of Britain's share in Indian Government.'

"British rule in India must end immediately," said the Congress resolution at Allahabad. "Should, however, this appeal fail, the Congress cannot view without the gravest apprehension the continuation of the present state of affairs involving a progressive deterioration in the situation and the weakening of India's will and power to resist aggression. The Congress will then be reluctantly compelled to utilise all the non violent forces it might have gathered since 1920, when it adopted non violence as part of its policy, for the vindication of political rights and liberty. Such a widespread struggle would inevitably be under the leadership of Mahatma Gandhi." But Gandhiji's challenge was more aggressive and emphatic when he stated "There is no room left for negotiation, either they recognise India's independence or they don't .. There is no question of 'one more chance' After all this is open rebellion."

This '*Open Rebellion*' resolution was passed in July, 1942. Again on August 7, Gandhiji declared at a meeting of the Congress Committee at Bombay. "We shall get our freedom by fighting, it cannot fall from the skies." But before the fight actually began, Gandhiji, Azad and other members of the Working Committee were arrested and imprisoned under the

Defence of India Act

Serious disturbances amounting very nearly to an open rebellion were rife in India during the months of August and September 1942. Police stations, post offices, railway stations and other buildings belonging to Government or Municipalities were smashed, looted and set on fire. At various places roads were blocked and communications were dislocated with serious consequences. By the end of September, the rebellion lost its force although stray cases of disturbances continued to occur for a sufficiently long time after that. A remarkable thing about this 'do or die' campaign of the Congress was that the Muslim League remained quiet *en masse* throughout that period. Jinnah declared that the Mussalmans were opposed to the August Resolution of the Congress, and were, therefore, against the movement. He, therefore, enjoined them to keep aloof from the campaign and watch the show as silent spectators.

III

An important change in the administrative personnel of the Government occurred on June 18, 1943, by Field-Marshal Wavell's appointment to the Viceroyalty of India. This news took people by surprise, and it was feared that this appointment meant the continuance of the 'Lithgow policy' with an additional touch of military mind. But the Viceroy-designate announced "I am a sincere friend of India and am wholeheartedly in sympathy with her aspirations to political developments." But all the same, he wanted India's whole hearted war efforts to remove the Japanese menace for the achievement of

full self-government by the people of India.

"We offered a suggestion in the Cripps's proposals," added Lord Wavell, "which may not have been suitable. If Indians can devise a method which will produce agreement more readily, so much the better. If I may offer a personal opinion born of some experience, the smaller the body which discusses a difficult and controversial problem the more likely it is that profitable solution will emerge.

"What arrangement you decide to make for the two great communities and certain other important minorities, as well as the Indian States, to live within that unit and to make the best use of its wealth and opportunities, is for Indians to decide. That two communities and even two nations can make arrangements to live together in spite of differing cultures or religions, history provides many examples. The solutions of the problems have varied.

"I believe firmly in the future of India," said he in conclusion. "I am a sincere friend of India. I should like to help her political advance, but my military training has made me quite certain that no objective is ever gained without the fullest measure of co-operation from all concerned."

Gandhiji was released on grounds of ill health after the Government made sure that he had no intention of taking up the Civil Disobedience Movement again. He, therefore, adopted a policy of complete silence about political affairs, but on July 10, 1944, Rajagopalachari, in consultation with and approval of Gandhiji, published the following formula for making a compromise between the Congress and the Muslim League, and 'enabling them jointly to assault the Imperial citadel' —

"Basis for terms of settlement between the Indian National Congress and the All-India Muslim League to which Gandhiji and Mr Jinnah agree and which they will endeavour respectively to get the Congress and the League to approve

- (1) Subject to the terms set out below as regards the constitution for Free India the Muslim League endorses the Indian demand for Independence and will co-operate with the Congress in the formation of a provisional interim Government for the transitional period
- (2) After the termination of the war, a Commission shall be appointed for demarcating contiguous districts in the north west and east of India, wherein the Muslim population is in absolute majority. In the areas thus demarcated, a plebiscite of all the inhabitants held on the basis of adult suffrage or other practicable franchise shall ultimately decide the issue of separation from Hindustan. If the majority decide in favour of forming a sovereign State separate from Hindustan, such decision shall be given effect to, without prejudice to the right of districts on the border to choose to join either State.
- (3) It will be open to all parties to advocate their points of view before the plebiscite is held.
- (4) In the event of separation, mutual agreements shall be entered into for safeguarding defence and commerce and communications, and for other essential purposes.

- (5) Any transfer of population shall only be on an absolutely voluntary basis
- (6) These terms shall be binding only in case of transfer by Britain of full power and responsibility for the governance of India "

To these terms Jinnah did not agree, and he declared in reply : " Mr. Rajagopalachari's formula is a parody of a negation and intended to torpedo the Muslim League's resolution of March, 1940, and when he says that his formula concedes all that the Muslim League had ever demanded by its resolution, it is the grossest travesty. First of all where does he find any mention of plebiscite in that resolution and especially plebiscite districtwise ? " Further, Jinnah invited Gandhiji for a settlement. " Let Mr. Gandhi join hands with the Muslim League on the basis of Pakistan in plain and unequivocal language and we shall be nearer independence for the peoples of India which is so dear to the heart of not only Mr. Gandhi, but of the millions of this country. Mr. Gandhi and Mr. C. Rajagopalachari are putting the cart before the horse when they say that all these clauses can have any value or can become effective if Great Britain transfers power to India. There is no chance of it unless Hindus and Muslims unite and by means of united front bring it out from the unwilling hands of the rulers of Great Britain "

The prospects of a political settlement between India and Britain thus remained remote as ever. On September 9, Gandhiji went to Jinnah to discuss in person about the Hindu-Muslim problem in his individual capacity. The talks prolonged for a period of fourteen days, but the ultimate result was again nil.

The only thing which the Gandhi-Jinnah talks established, was the practicability of a zonal division of India, which Gandhiji accepted in terms of the C R. Formula given above

IV

Yet another attempt to adjust the Hindu-Muslim differences was made by the Conciliation Committee convened by Sir Tej Bahadur Sapru. Its proposals, issued on April 8, 1945, are given in a summary form herewith:—

The Constitution-Making Body.—The Constitution-making body shall be constituted in the manner prescribed in Clause (d) of the draft resolution of His Majesty's Government brought by Sir Stafford Cripps, subject to the following modifications:—

1. The total strength of the body shall be 160 distributed as follows:—

Special interests, i.e., commerce and industry, landholders, universities, labour and women 16; Hindus, excluded Scheduled castes 51; Muslims 51; Scheduled castes 20; Indian Christians 7; Sikhs 8; Backward areas and tribes 3; Anglo-Indians 2; Europeans 1, Others 1.

2. It is because Clause (d) of His Majesty's Government's declaration provides for election by a joint electorate, composed of members of all the Provincial Legislatures under the system of proportional representation that the Committee has decided to recommend that, in spite of disparity in the population strength between Muslims and Hindus other than Scheduled castes, the Hindu community should, in the interests of promoting communal unity, agree that the representa-

tion of the Muslim community on the constitution making body shall be on a *par* with that given to Hindus other than Scheduled castes

3 No decision shall be valid unless it is supported by 3/4ths of the members present and voting

4 His Majesty's Government shall enact the constitution on the basis of the valid decisions of the constitution making body supplemented wherever necessary by its own awards on matters in which the requisite majority for decision was not forthcoming

Division of India —The Committee having considered carefully the resolution of the Muslim League passed at Lahore in 1940, the various other resolutions of the League and the published version of the talks between Mr. Jinnah and Mr. Gandhi, and having also considered the C.R. and Gandhi proposals is emphatically of opinion that any division of India into two or more separate independent sovereign states is unjustified and will endanger the peace and orderly progress of the whole country without any compensating advantage to any community, and that the political unity of India should, therefore, be maintained

Indian States —Provision should be made in the constitution for the accession from time to time of Indian States as units of the Union on such terms as may be agreed upon. The Union should be brought into being and should commence to function at the earliest possible date, even if no Indian State has acceded to it as a unit by then

Non Accession and Secession —No Province of British India may elect not to accede to the Union, nor may any unit—whether a Province or State which has acceded—be entitled to secede therefrom

Provincial Boundaries.—While it is not desirable that the new constitution should be delayed by the realignment of provincial boundaries on linguistic or cultural considerations, the Constitution Act shall indicate the machinery and prescribe the procedure for such realignment of old provinces and for the creation of new provinces after it has come into force, and on such realignment or creation of provinces, all consequential amendments may be made in the constitution.

Head of the State—The Committee submits the accompanying suggestions for the consideration of the constitution making body. They have been placed before the Committee by one of its members, who has great experience of the administration of Indian States and of working of the Government of India Act 1935 in relation to them. As the Indian States are not represented on this Committee and as the suggestions are of a very vital and far-reaching character, the Committee has thought it desirable to express no opinion on the merits of the several alternatives suggested, beyond stating that a clear definition of "a Head of the State" is necessary, as the several resolutions adopted by the Committee assume the existence of a Head of the State and the exercise by him of certain powers and functions. The member responsible for these suggestions agrees that they or any variant of them involving the participation of the Indian States cannot be finally adopted except with the consent of the Indian States.

(1) There shall be a Head of the State (*i.e.*, Union) in India, who shall be repository of (a) all such powers and duties as may be conferred or imposed on him by or under the Constitution Act, and (b) such other

powers as are now vested in His Majesty the King of England, including powers connected with the exercise of the functions of Crown in its relations with Indian States, provided that in relation to his powers, the Head of the State shall conform to the traditions, usages and conventions, which are binding on the constitutional Head of any State

(2) The office of Head of the State shall have a tenure of five years, and ordinarily no person may hold the office for more than one term

First Alternative —The Head of the State shall be elected by an electoral college, composed of the members of the two Houses, the Union legislature, either without any restriction as to their choice or subject to their choice being confined to the rulers of Indian States, having a minimum population or revenue or both, to be named in a schedule to the Constitution Act

Second Alternative —(3) The Head of the State shall be elected by the Rulers of the Indian States referred to above amongst themselves.

Third Alternative —The Head of the State shall be appointed by His Majesty the King of England, on the advice of the Union cabinet, either without any restriction as to his choice or subject to his choice being confined to the Rulers of the Indian States referred to above.

(4) In case the third alternative in para 3 is adopted and a link with the British Crown is maintained, the Secretary of State for India, together with all the control that he or the British Cabinet exercises over Indian administration should, in any case, be abolished.

(5) The head of a unit, other than an Indian State shall be appointed by the Head of the State on the advice of the Union cabinet

Defence —The Committee strongly recommends that under the new constitution there should be a portfolio of defence which should be held by a minister responsible to the legislature, and that the actual control and discipline of the army should be placed in the hands of a Commander-in-Chief under the new Government.

The Committee further recommends that a national army should be created and developed as rapidly as possible

It is unable to suggest at this stage what the strength of this army should be as this will depend, apart from the vital question of finance, on a number of other factors, such as the nature of the post-war world settlement and the efficacy of the international organisation for the maintenance of world peace. Among the measures which should be adopted for the creation of such an army, the Committee recommends the following:—

Such British units as temporarily may be required for the efficient defence of India and such officers as may be needed for officering the National army until an adequate number of Indian officers become available shall be obtained by a treaty or agreement entered into by the Union Government and His Majesty's Government, specifying among other things, the terms and conditions of their re-employment by the Union

As soon as the war is over, all direct recruitment of British officers to the Indian forces should cease. Such

THE MISSION THAT FAILED

British officers as do not belong to the Indian Army and are not required for specific appointments should be reverted to the British Army establishment.

The Committee would emphasize that the maintenance of law and order is essentially the responsibility of the Unit Governments and that they should, if necessary, by increasing the strength of their police forces, equip themselves adequately for the discharge of this responsibility. The Committee would, however, make it clear that the services of troops on the Union Army establishment should be available for being requisitioned only when the civil power finds itself unable to cope with any particular situation.

As may be seen, these proposals were based upon parity between the Hindus on the one hand and the Muslims on the other in the constitution-making body the future Central Legislature and the Executive. They provided safeguards in sufficient measure for the minorities, and emphasised upon the preservation of the unity of India and joint electorates which was against the Muslim League's demand of Pakistan and separate sovereign states of Hindus and Muslims, to which Gandhiji himself had committed in terms of 'division as brothers.' Hence the Muslim League condemned the proposals by saying that "one of the objects of the Sapru intervention was to blot out Mr. Gandhi's commitment." The fate of the Sapru Committee proposals was known beyond any shadow of doubt from the very outset, and without much consideration they were given a place beside the C.R. Formula among the rejects of Jinnah.

V

With Congress behind the prison-bars, there seemed to be little hope of ending the deadlock in the country. Lord Wavell, therefore, flew to London to seek a solution of the Indian problem. Speculations had naturally started ever since the day he reached London, but they became really serious after his return to India. On June 14, 1945 Lord Wavell broadcast his following Plan from Delhi:

"I have been authorized by His Majesty's Government to place before Indian political leaders proposals designed to ease the present political situation and to advance India towards her goal of full self-government.

"These proposals are at the present moment being explained to Parliament by the Secretary of State for India. My intention, in this broadcast, is to explain to you the proposals, the ideas underlying them, and the method by which I hope to put them into effect.

"This is not an attempt to obtain or impose a constitutional settlement. His Majesty's Government had hoped that the leaders of the Indian parties would agree amongst themselves on a settlement of the communal issue, which is the main stumbling-block, but this hope has not been fulfilled.

"In the meantime, India has great opportunities to be taken and great problems to be solved, which require a common effort by leading men of all parties. I, therefore, propose, with the full support of His Majesty's Government, to invite Indian leaders both of central and provincial politics to take counsel with

me with a view to forming a new Executive Council more representative of organised political opinion.

Hindu Muslim Parity —“ The proposed new Council would represent the main communities and would include equal proportions of Caste Hindus and Muslims. It would work if formed under the existing constitution. But it would be an entirely Indian Council, except for the Viceroy and the Commander-in-Chief, who would retain his position as War Member.

“ It is also proposed that the portfolio of External Affairs, which has hitherto been held by the Viceroy, should be placed in charge of an Indian, so far as the interests of British India are concerned.

“ A further step proposed by His Majesty's Government is the appointment of a British High Commissioner in India as in the Dominions, to represent Great Britain's commercial and other such interests in India.

“ Such a new Executive Council will, you realize, represent a definite advance on the road to self government. It will be almost entirely Indian, and the Finance and Home Members will, for the first time, be Indians, while an Indian will also be charged with the management of India's foreign affairs. Moreover, members will now be selected by the Governor-General after consultation with political leaders though their appointment will of course be subject to the approval of His Majesty the King-Emperor.

“ The Council will work within the frame work of the present constitution, but there can be no question of the Governor General agreeing not to exercise his

constitutional power of control, though it will of course, not be exercised unreasonably.

"I should make it clear that the formation of this interim Government will, in no way prejudice the final constitutional settlement.

The Task of the New Government — "The main task for this new Executive Council would be

(1) To prosecute the war against Japan with the utmost energy till Japan is utterly defeated

(2) To carry on the Government of British India with all the manifold tasks of post-war development in front of it, until a new permanent constitution can be agreed upon and comes into force.

(3) To consider when members of Government think it possible, the means by which such agreement can be achieved. The third task is most important. I want to make it quite clear that neither I nor His Majesty's Government have lost sight of the need for a long-term solution, and that the present proposals are intended to make a long-term solution easier.

Invitation to Leaders:—"I have considered the best means of forming such a Council, and have decided to invite the following to Viceregal Lodge to advise me :

(1) Those now holding office as Premiers in provincial governments, or for provinces now under Section 93 of Government of India Act, those who last held office of Premiers.

(2) The Leaders of the Congress Party and the Deputy Leader of the Muslim League Party in the Central Assembly; the Leaders of the Congress Party and the Muslim League Party in the Council of State;

as also the *Leaders of the Nationalist Party and the European Group in the Assembly.*

(3) Mr Gandhi and Mr Jinnah as recognized leaders of the two main political parties

(4) Rao Bahadur N Siva Raj to represent the Scheduled Classes and Master Tara Singh to represent the Sikhs

Invitations to these gentlemen are being handed today, and it is proposed to assemble the Conference on June 25 at Simla, where we shall be cooler than at Delhi

I trust that all those invited will attend the Conference and give me their help. On me and on them will be a heavy responsibility in this fresh attempt to make progress towards a final settlement of India's future

Coalition Ministries;—"If this meeting is successful, I hope we shall be able to agree on the formation of the new Executive Council at the Centre. I also hope that it will be possible for ministries to re-assume office and again undertake the tasks of government in the provinces now administered under Section 93 of the Constitution Act and that these ministries will be coalitions

"If the meeting should unfortunately fail, we must carry on as at present until the parties are ready to come together. The existing Executive Council, which has done such valuable work for India, will continue it if arrangements cannot be agreed

"But I have every hope that the meeting will succeed if the party leaders will approach the problem

with the sincere intention of working with me and with each other. I can assure them that there is behind this proposal a most genuine desire on the part of all responsible leaders in the United Kingdom and of the British people as a whole to help India towards her goal. I believe that this is more than a step towards that goal, it is a considerable stride forward, and a stride on the right path.

"I should make it clear that these proposals affect British India only and do not make any alteration in the relations of the princes with the Crown Representative.

The Release of Congress Leaders:—"With the approval of His Majesty's Government, and after consultation with my Council, orders have been given for the immediate release of members of the Working Committee of the Indian National Congress who are still in detention. I propose to leave the final decision about the others still under detention as the result of the 1942 disturbances, to the new Central Government, if formed, and to the provincial Governments.

"The appropriate time for fresh elections for the Central and provincial Legislatures will be discussed at the Conference.

"Finally, I would ask you all to help in creating the atmosphere of goodwill and mutual confidence that is essential if we are to make progress. The destiny of this great country, and of the many millions who live in it depend on the wisdom and good understanding of the leaders, both of action and thought, British and Indian, at this critical moment of India's history.

"India's military reputation never stood higher in the world than it does at present; thanks to the exploits of her sons drawn from all parts of the country. Her representatives at international conferences have won high regard for their statesmanlike attitude. Sympathy for India's aspirations and progress towards prosperity was never greater or more wide-spread. We have thus great assets if we can use them wisely. But it will not be easy, it will not be quick. There is very much to do, there are many pitfalls and dangers. There is on all sides something to forgive and forget

'I believe in the future of India, and as far as in me lies will further her greatness. I ask you all for your co-operation and goodwill'

In this Plan the Viceroy proposed to invite Indian leaders with a view to 'forming a new Executive Council with more representatives of organised political opinion'. This Council was to represent Caste Hindus and Muslims in equal proportion, and with the exception of the post of the Viceroy and that of the Commander-in Chief as War Member, the Council was to be Indianised in its entirety. The Plan spoke of the main tasks of the new Executive Council as under —

1. To prosecute the war against Japan with the utmost energy till Japan is utterly defeated
2. To carry on the Government of British India with all the manifold tasks of post-war development in front of it, until a new permanent constitution can be agreed upon and come into force

3. To consider when members of Government think it possible, the means by which such agreement can be achieved.

It was further proposed to release immediately members of the Congress Working Committee, and invite Abul Kalam Azad and Gandhiji as recognized leaders of the party to take counsel with the Viceroy in forming the interim Government

VI

The President of the Congress,—Maulana Azad, and other members of the Working Committee were set free after an imprisonment of 34 months to deliberate over the new Plan. The Maulana was given full and plenary powers by the Working Committee to deal with all phases of the negotiations to end the deadlock, and 'was also authorized to take whatever action was necessary to implement the results of the negotiations.' But in spite of the 'atmosphere of goodwill' prevailing among representatives of all parties, the Simla Conference could not solve the problem or end the deadlock in any way.

The first point upon which the Maulana differed from Jinnah was that while he wanted to nominate certain Nationalist Muslims from the Congress as members of the proposed Executive Council showing thereby that the Congress was the representative of all Communities in the country, Jinnah objected that it was the right of the Muslim League alone to name the Muslim members of the Council since the League was the only recognised organisation of the Mussalmans of India. Maulana Azad stated: "Lord Wavell

rightly adjourned the Conference to enable the parties to come to terms, but the Muslim League claimed the sole right to nominate all the Muslim representatives on the new Executive Council. This claim was untenable and unsustainable, and the Congress could not accept this position. The Congress was not a Hindu body. It could not wipe out the history of fifty years. I as a Muslim would not tolerate the Congress becoming purely a Hindu body." Jinnah replied that the League and the Congress approached the problem from two opposite sides. "Pakistan and United India," he said, "were diametrically opposed to each other. The Mussalmans of India were determined to have Pakistan. The League was willing to consider proposals for the formation of an interim Government if a declaration was made guaranteeing to the Muslims the right of self-determination in accordance with the Lahore Resolution and the League was accorded equality of representation with all other parties on the new Government."

The Maulana further made it clear to the Viceroy that the Congress was prepared to go forward in forming Government, and if a certain group (meaning thereby the Muslim League) wished to keep out, it might be left out, but such a move was not accepted by the Viceroy, who took the blame on himself for the failure of the Conference by saying: "The main idea underlying the Conference was mine. If it had succeeded, its success would have been attributed to me and I cannot place the blame for its failure upon any of the parties."

At the end of the Conference the Viceroy made it

clear again that there would be no change in the present administrative machinery without the coming together of the main elements in the political sphere of the country, for while the Muslim League insisted upon the recognition of its right to nominate all the Muslim members of the Executive Council as the sole representative body of the Muslims, the Congress refused to admit this claim and insisted on its national character and consequently upon its right of nominating the Muslim members of the Executive Council

Thus, the deadlock continued despite all efforts and 'good-will' of the parties.

THE CRISIS OF A REVOLUTION

"INDIA wants to establish herself as a modern free democracy and to free herself from Britain", says Jawaharlal Nehru. "Nothing can withstand us—certainly not the five hundred-odd ruling Britishers who symbolize the power of the British Empire in India. If we wish to use force, we have only to issue a command, and not one of these ruling Britishers in India would be left alive. We know the techniques of revolution. We know how to seize power. We know how Lenin did it, how Hitler and Mussolini did it, we know how Cromwell and Napoleon did it too. We know we can win the troops and the police, seize the munitions works, the power plants, the railway junctions, the radio, the press—we know we can kill all the English in India as easily as blowing out a match—and even though the whole British army, navy, air force and imperial powers oppose us, we know that after this bloodshed and war, ultimate victory will be ours. . . We know all this, the world knows it, and surely the British Ruling Caste must know it too "

The major event of World War I was the Russian Revolution, and the major event of World War II will be the Indian Revolution. Like the Russian Revolution, our present Revolution in India may not be very

significant at its outset, but "it will emerge in its true stature in the perspective of time". Says Frances Gunther in *Revolution in India*: "People say that there is no Indian revolution, but the fact is that for at least thirteen years, all up and down the length and breadth of India, from the highest Himalayas down to Ceylon, from Karachi all the way across to Calcutta, the people of India have been gravely shouting, 'Inquilab Zindabad! Long live the Revolution!'"

But not only were these shouts confined to the boundaries of this land by the people of India, they were reverberating even beyond its limits—, in Burma, in the South East Asia, in China and even beyond that, wherever Indian patriots lived. Even in Japan an Indian Independence League had been organized by Rash Behari Bose, the veteran revolutionary who had reached there in 1915.

The Indian Independence League in Japan worked under the sponsorship of the Japanese Government for a very long time before the preparations of the latter towards their domination of the world became manifest to the world at large. For this end in view they both directly and indirectly had been encouraging Indians in the Far East to establish branches of the Indian Independence League to do nationalistic propaganda from various centres in Japan, China and South-East Asia. "For twenty years", says John Goette, "the Japanese have been grooming every dissident Indian they could encourage to come into their territory. They openly sponsored annual conventions of Indian elements under some fancy name of Pan-Asiatic solidarity. These were held in Dairen in Japanese leased Manchuria long before the 1931 occu-

pation" It is a fact that the ground-work of the '*Hakko Ichu*' (World Domination) ideology had been laid many years before Japan openly declared her intentions of dominating the Asiatic Continent, and in this respect it is correct that she tried to win over every Asiatic, whether Indian or otherwise, who happened to be a subject of her enemies. As far as India is concerned, it is understood that Indian residents in Japan and other Far Eastern countries had their national organizations which did considerable propaganda for the independence of India. Rash Behari Bose received further impetus through the activities of Dr. Menon and Mr. Raghavan, who similarly advocated India's right for freedom in Malaya. In China and Siam, Ananda Mohan Sahay and Swami Satyanand Puri organized the Indian National Associations and infused a new spirit in the movement by carrying on an extensive propaganda for India's independence. Thus, before the World War II there existed well-established national organisations of Indians in every country in the Far East.

II

In 1937 a Conference of Indian nationalists was held in Tokyo wherein all leading workers including Rash Behari Bose, Swami Satyanand Puri, Ananda Mohan Sahay, Sardar Hari Singh and Giani Pritam Singh participated and decided to intensify the Indian Independence propaganda in Siam, Malaya and Burma by opening new centres of activity in those countries. Consequently, strong anti-British propaganda, supported, indirectly, of course, by the Japanese Government, was launched all over the Far East, and as a result

thereof, bitter feelings against the British germinated among a vast majority of Indians in those countries

With clear and definite plans Japan declared war against America and Britain on December 7, 1941, and attacked Pearl Harbour with a lightning speed. She had given ample warning to her enemies about her designs on Pearl Harbour, Singapore, Netherland East-Indies, Hong Kong, the Philippines, Burma and India through official proclamations as well as private publications, and clarified 'the vast policy of constructing a Greater East Asia'. The occupation of Northern Indo China by the Japanese troops after the collapse of France, had opened the back door to Singapore. While the politicians of England and America waited for Japan to 'exhaust with almost mathematical certainty', she made most of the time by concentrating her forces and consolidating her position for tearing through the Far East. And while the attention of her enemies was diverted towards Europe, she influenced the Thai Government to open the land frontiers of Malaya for her.

And then, with a thoroughly planned programme General T. Yamashita led his seasoned soldiers towards 'the impotent, sea-ward-pointed guns of the Singapore naval base' through the jungles of Malaya. "On 8th February", writes General Gordon Bennett in his account of the fall of Singapore, "the positions to be attacked were bombarded, the unmolested Japanese air force bombing roads, Headquarters and troops concentrations throughout the day. Desultory artillery fire was directed against the island until 5 p.m. when a heavy fire was concentrated on the first and second lines. This fire developed considerably at 10 p.m.

when the Japanese embarked on their boats hitherto concealed in the mangrove swamps at the mouths of the rivers flowing into the Strait of Johore. They traversed the 100 yards across the strait under heavy artillery fire from the British guns. Several boats were sunk and many lives lost. The Japanese claimed that their difficulties were beyond imagination and that the resistance was strong in spite of their heavy bombardment. The Japanese entered the island of Singapore, and nothing could save the disaster.

On February 15, 1942 the Japanese Sun fell over the British Lion. Singapore was lost and with it their years of labour and millions of dollars worth investments were gone within hardly a week's time. On the morning of February 16, 1942, states Captain Shah Nawaz Khan of the Indian National Army, "when we were marching to our concentration area, our Commanding Officer, Major Macadam, along with other British officers came to see the battalion and shaking hands with me, he said 'I suppose this is the parting of ways'. These words confirmed my belief that we Indians were being left in the lurch."

At Farrer Park, Lieutenant Colonel Hunt representing the British Government, handed over the Indians to Major Fujiwara, the Commander of the Japanese Intelligence Department after due ceremony. Calling the parade to attention, Colonel Hunt spoke on the microphone. "Today I, on behalf of the British Government, hand you over to the Japanese Government whose orders you will obey as you have done ours."

Major Fujiwara took over charge of about 76 000 Indian army officers and other ranks on February 16,

1942 from Lieutenant-Colonel Hunt. On the following day Fujiwara, sent for a number of Indian officers and civilians and explained that 'as the British Empire was coming to an end, the Indians had a unique opportunity to attain freedom, it was an ideal time for them to rise and strive for their country's cause; that Japan was prepared to help Indians in every way, even though Indians were British subjects and thus technically enemy nationals, the Japanese knew that Indians were not British subjects from choice.'

The Indian prisoners of war were thereafter put under charge of an ex-Indian army officer, Captain Mohan Singh, a member of the 1/14 Punjab Regiment, who had joined the Japs when the latter had broken through Malaya. He held a Conference of the Indian officers wherein he said that the British had handed them over to the Japanese who were not prepared to treat them as prisoners, and they were also short of rations. They would, therefore, form an Indian National Army which would fight to liberate India. It was felt that although the Indian Army had fought bravely against the heaviest odds, the British High Command in return had left them at the mercy of the Japanese. "We felt", stated Captain P. K. Sahgal before the court martial in the Red Fort "that the British Government had on its own initiative cut off all the bonds that had bound us of all obligations to it. The Japanese handed us over to Captain Mohan Singh, who was styled as G O C of the Indian National Army, and we were left free under him to fashion our own destiny. We bona fide believed that the British Crown, having ceased to provide any protection to us, could no longer demand allegiance from us". Resolu-

tions were, therefore, passed to the effect that 'they were all Indians despite their different religions and that they must all fight for the freedom of India'

III

The Indian National Army was thus formed in Singapore on September 1, 1942 under Captain Mohan Singh as the G O C. in-Chief. The cause of the Indian Independence League and the Indian National Army received a great impetus from the events which took place in East Asia between June and the end of August 1942. Captain Subhal stated: '*In the first place, the Japanese forces met with most outstanding success in every theatre of war and an attack on India appeared to be imminent. Every one thought that India would soon be exposed to a Japanese onslaught, and even the B B C. sent a message of sympathy in her coming misfortune.*

"The last Indian drafts that had arrived to reinforce Singapore consisted only of raw recruits and gave one a fair indication of the type of men available for the defence of India. Officers who came to Singapore shortly before its surrender said that there was no modern equipment available for the army in India. I was told that the soldiers were being trained with wooden rifles and light machine guns and that defences on the north eastern borders of India were almost non-existent. Every one of us felt convinced that if the Japanese invaded India, there was none to resist their advance. This was the most distressing thought for all of us.

"In the second place on August 8, 1942 the Indian

National Congress passed the famous 'Quit India' Resolution and countrywide demonstrations followed as its immediate result.

"All India Radio, Delhi and the B B C drew a curtain over the happenings in India. However, certain secret stations supposed to be functioning somewhere in India, and the Japanese and other Axis controlled radio stations outside India broadcast freely about these happenings and the measures taken by the Government to suppress the freedom movement .

"The British Government claimed the sole responsibility for the defence of India and had with contempt rejected the offer of our own Leaders to take charge of and to organize such defence.

"The information we had about the state of defence in India was by no means encouraging and the most optimistic among them could not be sure of the ability of the British to stop the Japanese advance. The civilian population could not even think of organising any resistance and must submit to untold sufferings and hardship. The scorched-earth policy which the British had already decided upon and even began to follow must add very considerably to the disaster.

"After protracted discussion the only solution we could think of, was the formation of a strong and well-disciplined armed body which, while fighting for the liberation of India from the existing alien rule, should be able and ready to provide protection to their countrymen against any possible molestation, and to resist against any attempt by the Japanese to establish themselves as rulers of the country in place of the British."

But from the very beginning the relations between

the Council of Action and the Japanese Government became straightened Iwakuro Kikan, a Japanese organisation, which acted as a liaison agency between the Indian Independence League and the Japanese military authorities, tried to interfere in the affairs of the League with the intention of dominating it and using it as a tool for the Japanese aggressive programme over India. The Council of Action resisted this domineering attitude of the Kikan, but Indians at that stage were completely at the mercy of the Japs. They had neither any organised force nor any arms. All that Rash Behari Bose could do was to condemn the high-handed attitude of the Japanese Government to the Bangkok Conference demands purporting to

- (a) The recognition of the Council of Action as the Supreme Executive of the Indian Independence movement in East Asia
- (b) A full, formal and solemn declaration by the Government of Japan recognising and supporting the absolute independence and full sovereignty of India immediately on the removal of British rule in India
- (c) A formal and public recognition of the formation and existence of the Indian National Army on the principles laid down in the Bangkok resolution.

The reply received from the Japanese Government was not in any way satisfactory since it gave no specific answer to the questions asked for by Rash Behari Bose and only affirmed that Japan had no territorial ambitions in India, and therefore promised to help her to achieve complete Independence. But

since the Council of Action had asked for an unequivocal reply by the Japanese to the Bangkok Conference demands, an answer of the above nature could hardly meet the situation. The Council wanted that India should be respected as a free nation, and with that end in view, it should be allowed to form a Provisional Government of India without any interference of the Japanese Government through the Kikan or any other known or unknown agencies.

Things reached a climax by the end of November 1942 when the Japanese military authorities asked the Council of Action to keep the Indian National Army ready for its March on to Burma from Malaya. The Council stood its ground quite firmly and refused point-blank to execute the Japanese demands unless the Japanese Government clarified all the points formulated at the Bangkok Conference.

On December 6, 1942, a Japanese troop-ship arrived in Singapore to carry the Indian National Army to Burma. The officers of the Army burnt all their records and badges. Captain Mohan Singh was removed to Sumatra and Major Kiani refused to take command of the forces. Officers and men refused to co-operate with the Japanese. On the following day, the Japanese arrested Colonel N.S. Gill declaring him a British spy. In the circumstances, the Malaya branch of the League decided that "Sri Hrish Behari Bose be requested to try every possible means to secure a clarification of all matters relating to the movement from the Tokyo Government by declaration, statement and otherwise, at as early a date as possible, and that while the normal working of the movement will be carried on as usual any further forward move will

be decided only after such declarations and statements are made ”

The Council of Action resigned as a protest against the interference of the Kikan and arrest of Colonel Gill, and Rash Behari Bose asked for facilities to go to Tokyo to see General Tojo in person about the situation. As a result of this the Japanese stopped indulging in any further arrests of Indians or harassing them directly, but they tried a new method of over-powering the League by launching a Youth Movement under the auspices of the Kikan. It began an intensive propaganda amongst the Indian prisoners of war, and those who persistently refused to co operate with them, were sent away to unknown places. The Committee of the Malaya Branch of the League under Sri Raghavan thereupon sent a Memorandum to Rash Behari Bose stating in detail the difficulties that had arisen in the working of the League after his departure to Tokyo, and informed him that the Committee, as a whole, would resign if the situation did not improve.

The Japanese came to know of this Memorandum and, therefore, forced Sri Raghavan to resign the Presidentship of the Committee before the letter reached Rash Behari Bose. But other members of the Council, believing that their resignation would mean offering facilities to the Japanese to appoint people of their own choice on the Committee and making anti nationalistic propaganda through such a puppet body, refrained from resigning.

At Tokyo, Rash Behari Bose could not get the assurance asked for by the League, but he succeeded in having a temporary compromise with the Japanese.

Government whereby he was asked to remain in charge of the League until Subhas Chandra Bose's arrival in the Far East

In April, 1943, an *East Asiatic Conference* of Indians was held at Singapore wherein it was decided to place the whole of the Independence movement on a war-footing. It was also announced that Subhas Chandra Bose was expected to arrive from Europe in about two months' time.

IV

Subhas Bose arrived in Japan by a submarine on June 20, 1943. Indians in Tokyo gave him a rousing reception, and he made the following statement on that occasion:

"During the last World War our leaders had been bluffed and deceived by the wily British politicians. That was why we took the vow more than twenty years ago never again to be deceived by them. For more than twenty years my generation has striven for freedom and eagerly awaited the hour that has now struck,—the hour that is for the Indian people the dawn of freedom. We know very well such an opportunity will not come again for another one hundred years, and we are, therefore, determined to make the fullest use of it. . . It is our duty to pay for our liberty with our own blood. The freedom that we shall win, through our sacrifices and exertions, we should be able to preserve with our own strength. The enemy that has drawn the sword must be fought with the sword. Civil disobedience must develop into armed struggle. And only when the Indian people

receive the baptism of fire on a large scale will they qualify for their freedom ?

From Tokyo, Subhas Bose arrived in Singapore on 2nd July, 1943, and on the 4th the inaugural session of the Indian Independence League was held there. On that occasion Rash Behari Bose formally handed over the Presidentship of the Indian Independence League to Subhas Chandra Bose, who was further honoured with the title of "Netaji" 'or the revered leader'.

It was on October 21, 1943, that Netaji Subhas Chandra Bose announced the establishment of the Provisional Government of Azad Hind or Free India. The memorable proclamation ran as under:

"After their defeat at the hands of the British in 1757 in Bengal, the Indian people fought an un-interrupted series of hard and bitter battles over a stretch of one hundred years. The history of this period teems with examples of unparalleled heroism and self-sacrifice. And, in the pages of that history, the names of Siraj-ud Daula and Mohanlal of Bengal, Haider Ali, Tippu Sultan and Velu Rampi of South India, Appa Sahib Bhonsle and Peshwa Bajji Rao of Maharashtra, the Begums of Oudh, Sardar Shyam Singh Attariwalla of the Punjab, and last but not least, Ram Lakshminbhai of Jhansi, Pantia Topi, Maharaj Kunwar Singh of Dumraon and Nana Sahib—among other, the names of all these warriors are for ever engraved in letters of gold.

"Unfortunately for us our forefathers did not at first realise that the British constituted a grave threat to the whole of India and they did not, therefore, put up a united front against the enemy. Ultimately, when the Indian people were roused to the

reality of the situation, they made a concerted move and under the flag of Bahadur Shah in 1857, they fought their last war as free men. In spite of a series of brilliant victories in the early stages of this war, ill-luck and faulty leadership gradually brought about their final collapse and subjugation. Nevertheless, such heroes as the Rani of Jhansi, Tantia Topi, Kunwar Singh and Nana Sahib live like eternal stars in the nation's memory to inspire us to greater deeds of sacrifice and valour.

"Forcibly disarmed by the British after 1857 and subjected to terror and brutality, the Indian people lay prostrate for a while—but with the birth of the Indian National Congress in 1885, there came a new awakening. From 1885 till the end of the last World War, the Indian people, in their endeavour to recover their lost liberty, tried all possible methods—namely, agitation and propaganda, boycott of British goods, terrorism and sabotage—and finally armed revolution. But all these efforts failed for a time. Ultimately, in 1920, when the Indian people, haunted by a sense of failure were groping for a new method, Mahatma Gandhi came forward with the new weapon of non co-operation and civil disobedience.

"For two decades thereafter, the Indian people went through a phase of intense patriotic activity. The message of freedom was carried to every Indian home. Through personal example, people were taught to suffer, to sacrifice and to die in the cause of freedom. From the centre to the remotest villages the people were knit together into one political organisation. Thus, the Indian people not only recovered their political consciousness, but became a political entity

once again. They could now speak with one voice and strive with one will for one common goal. From 1937 to 1939, through the work of the Congress Ministries in eight provinces, they gave proof of their readiness and capacity to administer their own affairs.

"Thus on the eve of the present World War, the stage was set for the final struggle for India's Liberation. During the course of this war, Germany with the help of her allies has dealt shattering blows to our enemy in Europe, while Nippon with the help of her allies has inflicted a knock-out blow to our enemy in East Asia. Favoured by a most happy combination of circumstances, the Indian people today have a wonderful opportunity for achieving their national emancipation.

"For the first time in recent history, Indians abroad have also been politically roused and united in one organisation. They are not only thinking and feeling in tune with their countrymen at home, but are also marching in step with them along the path to Freedom. In East Asia, in particular, over two million Indians are now organised as one solid phalanx, inspired by the slogan of Total Mobilisation. And in front of them stand the serried ranks of India's Army of Liberation, with the slogan 'Onward to Delhi,' on their lips.

"Having goaded Indians to desperation by its hypocrisy and having driven them to starvation and death by plunder and loot, British rule in India has forfeited the goodwill of the Indian people altogether and is now living a precarious existence. It needs but a flame to destroy the last vestige of that unhappy rule. To light that flame is the task of India's Army

of Liberation Assured of the enthusiastic support of the civil population at home and also of a large section of Britain's Indian Army and backed by a gallant and invincible allies abroad, but relying in the first instance on its own strength, India's Army of Liberation is confident of fulfilling its historic role.

"Now that the dawn of freedom is at hand, it is the duty of the Indian people to set up a Provisional Government of their own, and launch the last struggle under the banner of that Government. But with all the Indian leaders in prison, the people at home totally disarmed, it is not possible to set up a Provisional Government within India or to launch an armed struggle under the aegis of that Government. It is, therefore, the duty of the Indian Independence League in East Asia, supported by all patriotic Indians at home and abroad, to undertake this task,—the task of setting up a Provisional Government of Azad Hind (Free India) and of conducting the last fight for freedom, with the help of the Army of Liberation (that is, the Azad Hind Fauj or the Indian National Army) organised by the League

"Having been constituted as the Provisional Government of Azad Hind by the Indian Independence League in East Asia, we enter upon our duties with a full sense of the responsibility that has devolved on us. We pray that Providence may bless our work and our struggle for the emancipation of our Motherland. And we hereby pledge our lives and the lives of our comrades-in-arms to the cause of her Freedom or her welfare, and her exaltation among the nations of the world

"It will be the task of the Provisional Government to launch and to conduct the struggle that will bring about the expulsion of the British and of their allies from the soil of India. It will then be the task of the Provisional Government to bring about the establishment of a permanent National Government of Azad Hind constituted in accordance with the will of the Indian people and enjoying their confidence. After the British and their allies are overthrown, and until a permanent National Government of Azad Hind is set up on Indian soil, the Provisional Government will administer the affairs of the country in trust for the Indian people.

"The Provisional Government is entitled to and hereby claims, the allegiance of every Indian. It guarantees religious liberty, as well as equal rights and equal opportunities to all its citizens. It declares its firm resolve to pursue the happiness and prosperity of the whole nation and of all its parts, cherishing all the children of the nation equally and transcending all the differences cunningly fostered by an alien Government in the past.

"In the name of God, in the name of bygone generations who have welded the Indian people into one nation, and in the name of the dead heroes who have bequeathed to us a tradition of heroism and self sacrifice, we call upon the Indian people to rally round our banner and strike for India's freedom. We call upon them to launch the final struggle against the British and all their allies in India, and to prosecute that struggle with valour and perseverance and with full faith in Final Victory—until the enemy is expell-

ed from Indian soil and the Indian people are once again a Free Nation "

This Proclamation was received by the delegates and all others present with loud applause and cheering. After that Netaji himself took an oath of allegiance to India in the following words

"In the name of God, I take this sacred oath that to liberate India and the thirty-eight crores of my countrymen, I Subhas Chandra Bose, will continue this sacred war of freedom till the last breath of my life. I shall always remain a servant of India and look after the welfare of thirty-eight crores of Indian brothers and sisters. This shall be for me my highest duty. Even after winning freedom, I will always be prepared to shed the last drop of my blood for the preservation of India's freedom."

Loud and prolonged cheers followed with the outbursts of "Subhas Bose Ki Jai," "Azad Hukumat Ki Jai," and "Azad Hind Ki Jai."

On taking over the Supreme Command of the Indian National Army, Netaji declared that his objective was the achievement of Independence of India. His words were: "In the interests of the Indian Independence movement, I have taken over the direct command of our Army from today. This is a matter of joy and pride to me, because for an Indian there can be no greater honour than to be Commander of India's Army of Liberation. The Azad Hind Fauj has a vital role to play. To fulfil this role we must weld ourselves into an army that will have only one goal—the freedom of India,—and only one will—to do or die in the cause of India's freedom "

V

There was no difference between this objective of Netaji and that of Mahatma Gandhi. Their aim was the same—freedom,—but the methods of approach were different. “While whole-heartedly agreeing that non-violence is the finest method yet devised by man to fight for his ideals,” says an account, “it must be remembered, in Gandhi’s own words, that ‘violence is better than cowardice’.” In the storm-centres of violence where overwhelming forces had been massed, these Indian men and women gave expression to the courage in their hearts in the way best available to them. They were like Arjuna, who fought on the battle field of Kurukshetra with all his skill, without hatred but with a single-hearted loyalty to his righteous cause. The Law will pronounce a verdict, and individual deeds will pass into the cumulative events of the age. But history, in its final verdict, will lay bare the hearts of these men and women and record the over-flowing, uncalculating, if mistaken, abunden with which its sons and daughters worlapped their great Mother India from afar.”

Various figures are given regarding the strength of the Indian National Army, but the official total strength was in the tune of 40,000 heads. Recruits were drawn both from the Indian Prisoners of War and from the Indian civilians of the South-East Asia. The troops were dressed in Khaki like the British Indian troops, and were organized on lines similar to those of the British Indian Army.

The Army consisted of three Divisions. No 1 incorporated the Guerilla Regiments; No 2 composed

partly of Indian Military Prisoners of War and partly of civilians, and No. 3 composed of civilians mostly recruited by the Indian Independence League in Malaya.

The Azad Hind Government had aimed to recruit and train up 300,000 men pledged to fight for India. They had collected sufficient funds for the purpose and opened four training centres where 7,000 men could be trained at one time. For officers there were Training Centres at Singapore and Rangoon from where some 1,500 cadets graduated during the course of the war.

VI

The Indian National Army, in spite of serious handicaps, had a very good start. It had neither any planes nor any lorries for transport of men and material. Its soldiers had to carry everything,—kit, munition, supplies,—for themselves. Against them the British conducted their military operations at Imphal and Kohima under the Allied Command treating them as part of the total war efforts of the Allied powers.

The I.N.A. (Indian National Army) with the Japanese help soon surrounded Imphal. On February 9, 1944, Netaji Subhas Chandra Bose issued a Special Order of the Day:

“The eyes of the whole world are focussed on the Arakan Front where events of far-reaching consequences are taking place today. The glorious and brilliant actions of the brave units of Azad Hind Fauj working in close concert with the forces of the Imperial Nippon Army, have helped to foil all attempts by the

Anglo-American forces to start counter-offensive in this sector.

"I am sure that the brave deeds of our comrades on the Arakan Front will be a great inspiration to all the officers and men of the Azad Hind Fauj wherever they may be stationed at the present moment. Our long awaited march to Delhi has begun and with grim determination we shall continue that march until the tricolour National Flag that is flying over the Arakan mountains is hoisted over the Viceregal Lodge and until we hold our victory parade at the ancient Red Fortress of Delhi.

"Comrades, officers and men of India's Army of Liberation! Let there be one solemn resolve in your hearts—'Either Liberty or Death'. And let there be but one slogan on your lips: '*Onward to Delhi.*' The road to Delhi is the road to freedom. Victory will certainly be ours."

On March 18, 1944 the I N A captured Tiddim and crossed the Indo-Burma Frontier for the first time. The Japanese armies joined them in the plains of Imphal. Their allied forces first cut off the road to Dinapur and thereafter captured Bishenpur and Kohima. The Japanese G O C. on the North Burma Front, General Moto Cuchi, at this juncture promised full aid to the advancing armies of the I.N.A., and it appeared that the Azad Hind Forces would sweep over India with tremendous speed. But the British rushed up reinforcements by air and land, and recaptured Kohima. The I.N.A., on the other hand, soon ran short of its supplies. The Japanese could not keep their promise, and on the contrary, started ill-treating the

I.N.A soldiers. Under the circumstances, the latter were obliged to raise the siege of Imphal and suspend further operations owing to the ensuing monsoons.

The second campaign of the I.N.A began in January 1945 which lasted till August in that year. The Subhas, Gandhi and Nehru Brigades fought bravely and suffered great losses to stem the tide of the British 14th Army into Burma, but they could hardly make any progress without plenty of reinforcements, supplies and a strong air support. The Japanese air power gave no assistance, and the lines of supplies were cut off completely. The result was starvation, death and devastation for the Indian National Army. Its allies—the Japanese—began to lose their ground after the fall of Matikyina. One by one, Meiktila, Mandalay and Maymyo fell to the British ripe fruits and the end seemed not far off. On March 14, 1945 Netaji issued a Special Order emphasizing the fact that every member of the Azad Hind Fauj should regard himself as the Custodian of the honour and dignity of the force. After a purge, and after the unwilling elements had been given an opportunity to leave the army, he said that the punishment would be death if there was any case of cowardice. He declared that "for the members of the revolutionary army there is no crime more heinous than to be a coward . . . Special rewards will be given to those who give information of treacherous elements and those who arrest and shoot cowardly elements."

The end came within sight at the break-down of the Soviet-Jap Neutrality Pact in April, 1945. A special messenger brought Netaji's order to the Fauj to

retreat, and 'like small children', says an account, 'these hefty, brave warriors cried. With broken hearts they turned their backs on the battle field and retreated. That day none of them ate. Was it the beginning of the end? That was the unspoken question on their faces.'

VII

The story of the brave men and women of the Indian National Army who had taken up arms for the freedom of India, was hardly known to any one outside East-Asia before August, 1945. Rumours about the I.N.A., and the activities of Mohan Singh and Subhas Chandra Bose in the Far East had, of course, been buzzing about this country right from the time of the fall of Singapore, but in the absence of any substantial evidence very little interest was visible amongst the public at large. It was in the beginning of August 1945 that people began to whisper about the arrival and detention of some thousands of the members of the Azad Hind Fauj in the Red Fort at Delhi. The veil from the I.N.A. 'mystery' was, however, lifted by Pandit Jawaharlal Nehru almost immediately after the war was over. His statement on the issue which appeared in the press on August 20, 1945, worked like magic over the length and breadth of India, and the I.N.A. question became over-night the topic of the day.

On August 27, Government issued a *communiqué* in which it declared that "the offence of going over to the enemy and fighting against his former comrades is the most serious offence that a soldier can commit. It

is punishable with death by the laws of almost all countries, and those who have committed this offence and been recaptured can claim no rights as belligerents or prisoners of war " Public opinion became strong in urging the release of the I N A men in the meantime.

On September 22, the Congress Working Committee met in Poona and resolved that "for reasons of far-reaching consequences, and in view of the termination of the war, it would be a tragedy if these officers, men and women were punished for the offence of having laboured, however mistakenly, for the freedom of India. They can be of greatest service in the heavy work of building up a new and free India. They have already suffered heavily and any additional punishment will not only be unjustified, but will cause sorrow in innumerable homes and to the Indian people as a whole, and will widen the gulf between India and England The All-India Congress Committee, therefore, earnestly trusts that these officers and men and women in this army will be released . . ." Further, the Committee resolved to appoint a Committee for the Defence of the officers, men and women of the I N A. who might be brought up for trial. This Committee was to consist of a panel of nine senior counsels for the Defence. They were: Pandit Jawaharlal Nehru, Sir Tej Bahadur Sapru, Bhulabhai Desai, Dr. K. N. Katju, Rai Bahadur Badri Dass, Asaf Ali, Kanwar Sir Dalip Singh, Bakshi Sir Tek Chand, and P. K. Sen

VIII

The Court Martial of the I N A. men commenced at 10 a m. on Monday, November 5, 1945 in the historic

Red Fort of Delhi The accused brought up for the first trial were - Captain Shah Nawaz Khan of 1/14 Punjab Regiment, Captain P. K. Sehgal of 2/10 Baluch Regiment, and Lieutenant G. S. Dhillon of 1/14 Punjab Regiment.

The Court Martial consisted of seven members. They were - Major General A. B. Blaxland (President), Brigadier A. J. H. Bourke, Lt -Col. C. P. Scott, Lt Col. Stevenson, Lt -Col. Nasir Ali Khan, Major B. Pritam Singh, and Major Banwari Lal. Col. F. C. A. Kerin was the Judge-Advocate, and Sir N. P. Engineer, the Advocate General of India, acted as Counsel for the Prosecution.

All the three accused were charged for committing the civil offence of waging war against the King under Section 121-A of the I.P.C. Captain Dhillon was charged with the murder of Hari Singh, Dulchand, Dorai Singh and Dharam Singh at or near Popa Hill in Burma on or about March 6, 1945, and Captain Sehgal was charged with abetting the murder of these four men. Captain Shah Nawaz Khan was charged with abetting the murder of Gunner Mohammad Husain on or about March 27, 1945. All the three I.N.A. officers emphatically answered 'not guilty' to all the charges.

The Prosecution produced documents showing that the three officers were in the Indian army, that while Prisoners of War they joined the I.N.A., and as its officers waged war against the King by invading India, and that they ordered execution of five sepoys. Lieutenant Nag, a former member of the I.N.A., was the first witness who gave evidence about the formation of the I.N.A. and its activities. In response to

Bhulabhai Desai's plea for the adjournment of the Court for two weeks for having time to prepare the defence case, the Court Martial resumed hearing on November 21, 1945.

In the meantime, the country witnessed very strong public demonstrations urging for the unconditional release of the heroes of the I N.A. The situation became very grave in Calcutta where the police had to open fire against the demonstrators, and as a result of which several people died on the spot. This incident aggravated the atmosphere in the country and it appeared as if there would be an open revolt all over India if these men were not set free. At Lahore an infuriated mob attacked the Punjab Governor's car with brick-bats and stones, and similarly at many other places people openly challenged the Government authorities. The Court Martial, however, resumed its hearing, and on December 17 and 18, Mr. Bhulabhai Desai, the Chief Defence Counsel delivered his closing address keeping the audience spell-bound with the irresistible logic with which he had built up the defence. He spoke for about ten hours beginning as follows :

" During the last many days you have heard evidence on the two charges with which my clients, the accused before you, have been arraigned. Shortly stated, the two charges are waging war against the King and, without detailing anything, murder and abetment of murder, in that certain deserters were tried and ordered to be shot. My submission to the Court is that substantially there is really one charge before the Court, because in so far as the charge of murder is con-

cerned it is a part of the first charge and I say so for this reason that it would be quite possible, in the case of a charge of waging war against the King, to be able to charge every single act of firing a shot, which would be, I think, *reductio ad absurdum*, and therefore, it will be my duty later on to point out to the Court that really and truly there is only one charge before the Court, and that is waging war against the King "

Mr. Desai then addressing the Court said "This case has naturally aroused a considerable amount of public interest. It is not for me to say whether it is right or not, but the fact remains that it is so, and opinions have been expressed from the point of view of the public and from the point of view of what I might call 'official sources' beginning with the Viceroy of India."

Concluding his opening remarks he said that he would categorically state the conclusions of fact and then proceed to explain the law. He asked the Court to ask him to go into the details of evidence if it considered it necessary. There were 250 pages of evidence and about 150 pages of exhibits.

Proceeding, Mr. Desai gave a brief history of the formation of the I.N.A., and other important events in that connection. Coming to the conclusion he said: "The first conclusion of fact, which we ask this Court to accept, is that the Provisional Government of Free India was formally established and proclaimed."

He then read out the Proclamation of the Azad Hind Government, and thereafter said: "It is also in evidence before the Court that the Indian Independence League became the executive of the Provisional

Government which organized, so far as it was possible, to do in those warlike conditions, the care of the people who owed allegiance to it. In the month of June 1944, as the evidence is quite clear—it is also in the Exhibit—in Malaya alone, 230 000 persons actually took written Oaths of Allegiance to the Government. . . . That is the reason why I suggest that the Provisional Government was an organized Government.

“Then, Sir, the next fact which I submit is established before the Court, is that this Government was recognized by the Axis powers. The next fact which I submit is established is that this State had an army which was properly organized, having its own distinctive badges and emblems. I am obliged to the Prosecution in the matter for I was spared the necessity of having to prove this proposition. They put in document after document to show that the Indian National Army was properly organized. First, that it was regulated by an Indian National Army Act . . .

“The next important fact, which I think must be mentioned, is that the Indian National Army was formed with two purposes. The main purpose was the securing of the liberation of India . . . The other object also was, which was somewhat subordinate but useful purpose, the protection such as could be afforded to the Indian inhabitants of Burma and Malaya, particularly during the days when law and order in those parts of the country was poorly looked after, the lives and the honour and the property of the people was not quite so easily protected”

Then about the resources of the Azad Hind Gov-

ernment, Mr. Desai stated : " It has been proved before the Court that some 20 crores of rupees were in fact donated to the State out of which was maintained the civil government and the army. Mr. Dina Nath, who impressed this Court, gave extremely clear evidence on this head. He was one of the Directors of the Azad Hind Bank and he told the Court that between Burma and Malaya, during that short period of time, the State had resources to the tune of 20 crores of rupees, in addition to the produce of Ziawadi. What I am saying is that in so far as the resources of the State were concerned, they were full and adequate for the purpose which the new State had then in view "

Mr. Desai then argued at length the main point whether the Azad Hind Government was entitled to make war for the purpose of liberation of the country. He said that Section 79 of the I P C laid down that 'nothing is an offence which is done by any person who is justified by law'. Thus anything permissible under international law could not be treated as a civil offence. He claimed that "any war made for the purpose of liberating oneself from a foreign yoke is completely justified by moral and international law "

He further submitted that international law recognized an intermediate stage—that of an army of insurgents carrying on war in anticipation of independent statehood—and the accused had definitely reached that stage.

The case of the I N.A., contended Mr. Desai, was even stronger and any action against them would be a breach of international law. The Prosecution Counsel wanted him to tell the Court what the German view

was of the matter. Marshal Keitel had declared that the Maquis were not entitled to the protection of international law. Mr. Desai vigorously commented: "I take my stand on the American and British view as expressed by General Eisenhower. My friend the prosecution Counsel is welcome to take his stand on the German view."

He added: "The British civilized instinct has recognized that if a struggle for freedom is waged, then it is right that the privileges and immunities to the fighting armies be conceded."

As regards the relations of the Azad Hind Government with the Japs, Mr. Desai stated:

"Where was the question of the I.N.A. being an instrument in the hands of the Japanese? It was they (*i.e.*, the Japanese) who undertook to assist in liberating India and hand over all liberated areas to the Provisional Government. The Japanese might be helping with a view to improving their prospects of trade in India on which they relied for maintaining their standard of living. So far as the I.N.A. was concerned it was a genuine war of independence for them as a result of the successful termination of which they expected their freedom."

Further, he contended that the Japanese witness in reply to the Prosecution Counsel's question had made it clear that the freedom of India was one of the war aims of the Japanese. The whole cross-examination had crashed to the ground on account of this reply.

Resuming his address on December 18, Mr. Desai read from the American Declaration of Independence of July 4, 1776, extracts stating that men were equal

by God and were entitled to liberty, and that if any Government became destructive of this end, it was the right of the people to abolish such a Government. There was before the American people a conflict between allegiance to the King and allegiance to their country, and they chose allegiance to their country in preference to allegiance to a foreign King. It was because of that resolve to be independent that America had become strong and saved the civilized world in the last war. Mr. Desai said: "If this illustration is not going to be respected, justice will be denied completely." By quoting several witnesses, Mr. Desai further contended that the I N A. was started only for gaining the freedom of India, that its officers and men were prepared to fight anybody, including the Japanese if the latter stood in the way of India's freedom.

Further, as regards the status of the I N A., Mr. Desai stated -

"Apart from what you may call the general higher strategy, the Indian National Army was completely independent. And though I am not anticipating a point which it will be my duty to argue, namely, whether or not the question arose that people joined the I N A. because they might be worse off as Prisoners of War, the less said about it the better. The evidence clearly shows that the only ration that the I N A. had apart from sugar and oil which was nominal, was rice, and that was the luxury which attracted men to the I N A. The question really is that one set of men believed in a cause and the other set of men either from supineness or otherwise did not, and nobody ever gave thought to the question as to whether one

would be better off or not. One thing is quite certain ; that apart from what actually happened by the conduct of the Japanese, those who joined the I.N.A. were certainly facing the possibilities which every soldier has to face, unless he wishes to avoid it, which prisoners of war could, namely, fighting with the opponent army.

"The next point," he said, "is that the I.N.A. was a purely voluntary army, and notwithstanding the attempt made, the prosecution entirely failed to prove that it was not voluntary, because from time to time it has been proved before this Court by the speeches made by the accused and Sri Subhas Chandra Bose, which indicate that at every stage opportunity was given to every member of the I.N.A. to withdraw if he chose to do so"

Next he dealt with the allegation of torture inflicted on prisoners to make them join the I.N.A., and the alleged shooting of four other persons. He submitted that even if the alleged offence was committed, it was no offence because no personal liability was attached to acts done in due prosecution of war under the provisions of the I.N.A.

Summing up the main points in the end, Mr. Desai said that the three men had been a part of a regular army of a regularly formed government and were entitled to privileges of belligerents and were not governed by municipal laws but by international law. It was not correct to state that the Court Martial was not concerned with international law because section 79 laid down that acts committed under any 'law'

were not punishable and the word 'law' included recognised principles of international law.

After Mr Desai's address the Counsel for the prosecution requested the Court for time to prepare his closing address. The Court, therefore, adjourned till December 22, 1945.

The Prosecution Counsel on the said date submitted in his address that all the accused had been proved beyond any reasonable doubt, and that there was no defence in law to the charges against the accused. "So far as the Court is concerned," he said, "its hands are tied in the matter of punishment. The minimum punishment which this Court can give is transportation for life, if the Court's findings are against the accused; but if the Court feels on the evidence before it that the case is a fit one for mitigation of punishment, it is open to the Court to add a rider to its findings and sentence to that effect for the consideration of the confirming officer."

At the request of the Judge-Advocate, the Court adjourned until December 29, when he summed up the case.

On January 3, 1946 a Press *communiqué* announced :

"Captain Shah Nawaz Khan, Captain Sehgal and Lieutenant Dhillon have stood their trial by Court Martial on charges against all the three of waging war against the King-Emperor. The findings of the Court are that all three are guilty of the charge of waging war, while Captain Shah Nawaz Khan is also convicted of the charge of abetment of murder, Lieutenant

Dhillon is acquitted of the charge of murder and Captain Sehgal of the charge of abetment of murder.

" Having found the accused guilty of the charge of waging war, the Court was bound to sentence the accused either to death or to transportation for life, no lesser sentence was permissible under the law.. The confirming officer is, however, competent to mitigate, or remit the sentences "

In view of the very strong agitation of the public all over the country upon the I.N.A. question, and in order to save the situation becoming from bad to worse, the Commander-in-Chief decided to remit the sentences of transportation for life against all the three accused. He, however, confirmed the sentences of cashiering and forfeiture of arrears of pay and allowances.

IX

On the same evening the three officers of the I.N.A. were set free from the Red Fort Detention Camp.

The orgies of trials and convictions that followed this historic trial of the I.N.A. officers in an atmosphere of exasperation and resentment, generally created at the end of the war, provided an occasion for an outburst of popular emotions. Processions, demonstrations, strikes and riots became more and more common amongst the public, and the political leaders, Hindus and Muslims, tended to grow more and more violent and militant in speeches and actions. In the month of January, 1946 there were serious disturbances in Bombay on the Subhas Day and the Independence Day celebrations. Early in February, Captain Abdur

Rashid of the I.N.A., was sentenced by the Court Martial to seven years' rigorous imprisonment, which again led to *hartals* and demonstrations throughout the country. In Calcutta an angry mob had a clash with the police which opened fire resulting in 14 killed and 170 injured.

The panicky police actions in Calcutta and elsewhere made matters worse, and Mr Jinnah is reported to have said that 'he witnessed all along the country side from Delhi to Calcutta blood in the eyes of the people'. The situation in Calcutta had hardly improved when on February 18 a serious mutiny broke out among the R.I.N. (Royal Indian Navy) men in Bombay. The spirit of nationalism, which had permeated the armed forces of India during the war, became manifest and indicated the danger inherent in the situation.

The action of the naval ratings was 'a protest against the continued racial discrimination and complaint in regard to pay, food, clothing allowances, leave and travel facilities, and the invidious distinction between the terms of demobilization between the British and Indian demobilized personnel'. These grievances had been simmering for a long time and came to the surface as a result of the behaviour of Commander King and the arrest of two ratings.

'There was also a feeling of insecurity among the ratings. In 1945 there were 3,500 officers and 28,000 ratings in the R.I.N. Since September Naval Headquarters had issued three orders in succession on demobilization. According to the first plan 18,500 men were to be retained, according to the second

13,000 men, and according to the third only 11,000 men."

The trouble started in the R.I.N. from the Signal School, H.M.I.S. *Talwar*, where on Monday the 18th February, 1946, all ratings, numbering about 1,500 refused to do their work. The disaffection spread further to the R.I.N. Depot and Castle Barracks and to the ships in the Bombay harbour on the following day. The demands of the ratings were:—

- (1) No victimization of the so-called 'strikers'.
- (2) Release of R. K. Singh telegraphist from the Aurthur Road Prison immediately.
- (3) Speedy demobilization according to age and service groups with reasonable peace-time employment.
- (4) Immediate disciplinary action against Commander King, Commanding Officer, H.M.I.S. *Talwar*, for insulting language used by him to the personnel of the *Talwar*.
- (5) The best class of Indian food.
- (6) Royal Navy scales of pay, family allowances, travelling facilities, and the use of N.A.A.F.I. Stores.
- (7) No kit to be taken back from the R.I.N. personnel at the time of release.
- (8) Immediate grant of war gratuity and treasury pay to men being released.
- (9) Good behaviour of officers towards lower-deck men.
- (10) Quicker, regular promotions of the lower-deck

men to officer ranks, and new officers coming from abroad to be stopped

- (11) A new Commanding Officer for the Signal School. viz., Commander Cole to be reappointed

The ratings also wished to make a protest against the I N A. policy of the Government, the firings on the public at various places, and the use of Indian troops in Indonesia and the Middle East.

On the same day (19th), some 500 naval ratings in Behala and Kidderpore docks of Calcutta went on strike in sympathy with the ratings on strike in Bombay.

On the 20th, the mutiny spread to all other establishments in the neighbourhood of Bombay, and on the following day at about 9-40 a m., the ratings who had been confined to their barracks, began to break out. They stoned the military guards on duty, who opened fire in return. Shortly afterwards, the R.I.N. ships were reported to be raising steam to hoist ammunition to the four-inch guns. Rifle-fire continued from the ships throughout that day.

At about 2 p m., Admiral Hattary met the leaders of the ratings to whom he told that the military troops engaged against them would not be withdrawn, and also that an overwhelming force would be brought if the mutineers persisted in their attitude. He further warned them that no condition, other than unconditional surrender, would be accepted by the Government.

But the warning did not make any effect upon the ratings who, on the contrary, opened fire from the

Castle Barracks in the heart of Bombay, and had a six-hour regular battle with the British military troops on that day before 'cease fire' order was given to them in the evening.

On the same day, over 1,500 ratings went on strike on similar demands in Karachi, where the entire harbour area was immediately guarded by the military. The situation in Karachi also became serious when at 5 p.m. on that day, the ratings of H.M.I.S. *Hindustan* lying off-shore, sent out a signal giving an ultimatum: "If our demands are not conceded by 6 p.m., we will open fire on the military."

Again, on the same day over 1,000 men of the R.I.A.F. camps at Andheri and Marine Drive (Bombay) also went on strike in sympathy with the naval ratings in Bombay and Karachi.

Serious disturbances began in Bombay early on the 22nd morning. Mill-hands of some sixty of the Bombay mills came out in protest, and were joined further by thousands of employees of the G.I.P., and B.B. & C.I. Railway workshops, and the Bombay Electric Supply and Traction Company's bus drivers and conductors. These workers, numbering about 300,000 exhibited the fiercest mob fury in the history of Bombay leading to raids on banks, shops and grain-stores. For twelve hours there were repeated clashes between the police and military armed with rifles, machine guns and armoured cars on the one side, and the angry mobs on the other. The streets of Bombay presented the appearance of a battle-field with burning military lorries, smashed down trams and trains, and

with ambulances and medical parties rushing to and fro.

The following day Mr M R Masani asked in the Legislative Assembly on the R I N question "Why do the people of Bombay unanimously support the mutineers? It is because Indian and British conceptions of discipline differ. We do not accept the moral basis of your authority. Your law is not law to us, because it has not got the consent of the people behind it. That is why, when your military or civil law is broken, every one of us instinctively regards the rebellion with sympathy. In other words, the real cause of this mutiny is the existence of British rule in this country. I can imagine the irritation which must be caused to any average Indian in having to hoist a foreign flag over his own establishment. The flag which the people of this country have is the Tricolour Congress, and the Muslim League flag."

On February 22, an appeal to the Indian Naval ratings was issued by Sardar Vallabhbhai Patel enjoining them 'to be patient and peaceful', and to the people in general 'to maintain strict discipline and to do nothing to disturb the peace in the city'. A similar appeal was also issued on the same day by Mr Jinnah asking the ratings to call off the strike, and to the public not to add to the difficulties of the situation. Mr Jinnah further offered his services unreservedly for the cause of the R I N. men to see that justice was done to them.

Unofficial reports showed that the total number of dead during the R I N disturbances in Bombay were in the neighbourhood of 250, and the total number of

injured well over 1,300 of which about 700 were bullet cases.

At last on the 24th February, after four days of rioting, looting and repeated shootings by the police and military, Bombay returned to normal on the appeals of the political leaders—Patel, Jinnah and Gandhi, to abjure violence. Armed guards were placed on board the R.I.N. ships and shore establishments and order was restored. The ratings were enjoined to return quietly to work without delay, and a full and impartial inquiry into their grievances was promised

X

The people of India, who had been living for the past six years in 'a pivotal war zone' were one of the first to be affected by an impending global famine in this year (1946). This further aggravated the atmosphere already tense due to national and international conditions. Under such explosive circumstances there were echoes of the masses going on strikes and demanding their due rights all over the country. The Posts and Telegraph employees and the railway staffs similarly warned their respective departments to go on strike if their grievances were not redressed.

While such precarious and critical circumstances prevailed in India, the Government at the metropolis thought of celebrating the Victory Day on March 7. The city of Delhi, as was feared by conscientious people, had its 'Victory Blood Bath' on that occasion. The disaffected masses paraded the streets of Delhi with stones tied upon their bellies as a protest against the Victory celebrations and the lavish waste of public

money at the time when the country was passing through hunger, famine and political and economic troubles. Thus, while in New Delhi military bands played and troops marched past the Viceroy, bullets rang out and tear bombs detonated in Old Delhi. All arrangements for illuminations and decorations costing about rupees ten lakhs were pulled down and destroyed by the infuriated mobs, and the streets were littered with stones, brick bats, and with the debris of the burnt-down furniture, files and papers of the Government, and Municipal offices and other establishments taking part in the Victory celebrations.

This "Victory Blood Bath" was followed further by a strike of the Policemen in the same city almost on the eve of the arrival of the Cabinet Mission from England promising freedom to the country. On Thursday, March 21, some 2,000 Policemen refused to take their food as a protest against their low salaries and had food supplied to them. In order to control the situation created by the hunger-strike of the Delhi Police, the Government called in the British troops to the Police Lines, and the soldiers were placed on guard duty on the armoury in the Police Lines. A procession of hunger-striking policemen was tear-gassed and held up and arrested by the soldiers, and with slogans of *Jai Hind*, and *Hindu-Muslim Bhai Bhai* the 'custodians of law' were put behind the prison bars by the British soldiers.

Thus, with all the armed forces, police, civilian officials and public in general dissatisfied and pent-up under the shadow of an overwhelming famine and an economic break-down, and with their leaders, —Hindus,

INDIA'S STRUGGLE

Muslims and Sikhs—all in an ever-increasing militant and defiant mood, the crisis of a Revolution was fully set upon this land of the teeming millions. And what its rulers did to save the precarious situation, will be presently seen in the next Chapter.

FREEDOM TALKS

ARRESTS, repressions, *lathi* chargings, tear gassings, shootings, anti nationalist propaganda, subsidizing 'enemy' organs, official organized deputations to countries like the U S A , and propaganda agents within and without India all having completely failed in averting the crisis of a Revolution, it was left to the British imperialists to play their favourite political game within the frame work of traditions and institutions. An All-Parties Parliamentary Delegation came to this country to have a first hand information of the conditions prevailing here, and to devise suitable means to redress the grievance of the masses. '... I still regard the situation with hope,' declared Mr. R. V. Sorensen, one of the members of the Delegation, in an interview on his return to England, 'but nothing can be done at a distance. The Government must say that there will be transfer of power at a certain date.'

It worked well. The British Government agreed to send forth a Cabinet Mission to India to discuss with the Viceroy and leaders of Indian opinion on the framing of a new Constitution for India.

II

The Cabinet Mission, during its thirteen weeks' stay in this country from March 23 to June 28, 1946, counted on our continuing to be fools and rapidly established its political position by dictating us a constitutional scheme which, though styled as a 'recommendation,' had an element of 'award' in it, inasmuch as it stood as a whole and could not be altered or modified by us.

The scheme proposed by the Cabinet Mission was considered in some quarters as 'a landmark in the political history of this country,' for the reason of its being a clear advance on all previous proposals of the British Government, while in others it was considered to be 'most unsatisfactory from the view-point of political parties and national elements.'

The proposed Plan falls under three main heads :

- (a) Establishment of machinery to evolve a Union of India including both British-India and the Indian States.
- (b) Formation of three separate and distinct groups of provinces, and setting up of a Constituent Assembly at the Centre.
- (c) Setting up of an Interim Government at the Centre.

For (a), *i.e.*, the *Union of India*, it provides

- (1)* There should be a Union of India embracing both British India and the States which should deal with the following subjects: Foreign Affairs, Defence and Communications;

and should have the power necessary to raise the finance required for the above subjects

- (2) The Union should have an Executive and a Legislature constituted from British India and States representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting
- (3) All subjects other than the Union subjects and all residuary powers should vest in the Provinces.
- (4) The States will retain all subjects and powers other than those ceded to the Union.
- (5) Provinces should be free to form Groups with executive and legislatures, and each Group could determine the Provincial subjects to be taken in common
- (6) The constitutions of the Union and of the Groups should contain a provision whereby any Province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter

For (b), i.e., the grouping of Provinces and the setting up of the Constituent Assembly, it provides representation of each Province, as well as each of the three

major communities¹ on the basis of one member for each million of the population. The provincial representatives will divide thereafter into three groups or sections,—A, B and C. Group A will comprise the six Hindu-majority provinces of the United Provinces, Bihar, Orissa, Central Provinces, Bombay, and Madras. Group B will contain the North-West Muslim majority provinces of the North-West Frontier, the Punjab, Sind, and Baluchistan, and Group C will include the North-Eastern Muslim-majority provinces of Bengal and Assam. This grouping arrangement, or the 'zonal division' of India was brought out especially to appease the Pakistan demand of the Muslim League which envisaged two separate constitution-making bodies for Hindustan and Pakistan, i.e., the Hindu-majority Provinces and the Muslim-majority Provinces, respectively. The Mission, thus, conceded the Pakistan demand in substance through the grouping of Provinces on communal basis, and making three constitution making bodies instead of one for all practical purposes, except Defence, External Affairs and Communications.

As regards the working of the constitutional machinery, the Plan gives the following details :

"In forming² any Assembly to decide a new constitutional structure, the first problem is to obtain as broadbased and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on

1. See details below

2. *Vide* Para 18 of the Plan. See Author's *The Cabinet Mission*, 1946, op cit., p 97 ff

adult franchise ; but any attempt to introduce such a step now would lead to wholly unacceptable delay in the formulation of the new Constitution. The only practicable alternative is to utilize the recently elected Provincial Legislative Assemblies as the electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of the Provincial Legislative Assemblies do not bear the same proportion in each province. Thus, Assam with a population of 10 millions has a Legislative Assembly of the 108 members, while Bengal, with a population six times as large, has an Assembly of only 250 ; secondly, owing to the weightage given to minorities by the communal award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the Province. Thus the number of seat reserved for Muslims in the Legislative Assembly is only 48 per cent. of the total, although they form 55 per cent. of the Provincial population. After a most careful consideration of the various methods by which these inequalities might be corrected we have come to the conclusion that the fairest and most practicable plan would be

- (a) to allot to each Province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representa-

tion by adult suffrage ;

- (b) to divide this provincial allocation of seats between the main communities in each Province in proportion to their population ,
- (c) to provide that the representatives allotted to each community in a Province shall be elected by the members of that community in its Legislative Assembly.

“ We think that for these purposes it is sufficient to recognise only three main communities in India General, Muslim and Sikh,—the ‘ General ’ community including all persons who are not Muslims or Sikhs. As the smaller minorities would, upon the population basis, have little or no representation since they would lose the weightage which assures them seats in the Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to the minorities

- (i) We therefore propose that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislature (General, Muslim or Sikh) electing its own representatives by the method of proportional representation with the single transferable vote :¹

1. *Ibid.*, Para 19, p 99 ff.

TABLES OF REPRESENTATIONS

Section A

<i>Province</i>	<i>General</i>	<i>Muslim</i>	<i>Total</i>
Madras	45	4	49
Bombay	19	2	21
United Provinces	47	8	55
Bihar	31	5	36
Central Provinces	16	1	17
Orissa	9	0	9
Total	167	20	187

Section B

<i>Province</i>	<i>General</i>	<i>Muslim</i>	<i>Sikh</i>	<i>Total</i>
Punjab	8	16	4	28
North-West Frontier Province	0	3	0	3
Sind	1	3	0	4
Total ...	9	22	4	35

Section C

<i>Province</i>	<i>General</i>	<i>Muslim</i>	<i>Total</i>
Bengal	27	33	60
Assam	7	3	10
Total	34	36	70
Total for British India			292
Maximum for Indian States			93
			385

Note —In order to represent the Chief Commissioner's Provinces there will be added to Section A the member representing Delhi in the Central Legislative Assembly, the member representing Ajmer-Merwara in the Central Legislative Assembly, and a representative to be elected by the Coorg Legislative Council

To Section B will be added a representative of British Baluchistan.

- (ii) It is the intention that the states should be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculations adopted for British India, exceed 93; but the method of selection will have to be determined by consultation. The States would, in the preliminary stage, be represented by a Negotiating Committee.
- (iii) The representatives thus chosen shall meet at New Delhi as soon as possible.
- (iv) A preliminary meeting will be held at which the general order of business will be decided, a chairman and other officers elected, and an Advisory Committee (See next Chapter) on the rights of citizens, minorities, and tribal and excluded areas set up. Thereafter, the provincial representatives will divide up into the Sections shown under A, B and C in the Table of Representation in sub paragraph (i) of this paragraph.
- (v) These Sections shall proceed to settle the Provincial Constitutions for the Provinces in-

cluded in each Section, and shall also decide whether any Group Constitution shall be set up for those Provinces and, if so, with what provincial subjects the Group should deal. Provinces shall have the power to opt out of the Groups in accordance with the provisions of sub-clause (iii) below

- (vi) The representatives of the Sections and the Indian States shall reassemble for the purpose of setting up the Union Constitution.
- (vii) In the Union Constituent Assembly resolutions varying the provisions of the six points above or raising any major communal issue shall require a majority of the representatives present and voting of each of two major communities."

"The Chairman of the Assembly shall, decide which (if any) of the resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision

- (iii) As soon as the new constitutional arrangements have come into operation, it shall be open to any Province to elect to come out of any Group in which it has been placed. Such a decision shall be taken by the new Legislature of the Province after the first election under the new Constitution "

Advisory Committee ¹ "The Advisory Committee on the rights of citizens, minorities, and tribal and

2 *Ibid*, Para 20, p 102

excluded areas should contain full representation of the interests affected, and their function will be to report to the Union Constituent Assembly upon the list of Fundamental Rights, the clauses for the protection of minorities and a scheme for the administration of the tribal and excluded areas and to advise whether these rights should be incorporated in the Provincial Group, or Union Constitution

Negotiating Committee "His Excellency the Viceroy will forthwith request the Provincial Legislatures to proceed with the election of their representatives and the States to set up a Negotiating Committee. It is hoped that the process of constitution making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

Treaty : "It will be necessary to negotiate a Treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

A Constitution of Three Tiers .

It was explained by the Secretary of State in conclusion that he was compelled to seek for a solution which, 'by securing the main objects of both parties, will enable a constitution-making machinery to be brought into immediate operation.' "While we recognise the reality of the fear of the Muslim League," he stated, "that in a purely unitary India their community, with its own culture and way of life, might become sub-merged in majority Hindu-rule, we do

not accept setting up of a separate Muslim sovereign State as a solution of the communal problem.

"Pakistan, as the Muslim League would call their State, would not consist solely of Muslims it would contain a substantial minority of other communities which would average 40 per cent, and would in certain wide areas even constitute a majority, as for instance in the city of Calcutta, where the Muslims form less than one-third of the population

"Moreover, the complete separation of Pakistan from the rest of India would, in our view, gravely endanger the defence of whole country by splitting the Army into two and by preventing that defence in depth which is essential in modern war. We, therefore, do not suggest of this proposal

"Our own recommendations contemplate a constitution of three tiers at the top of which would be the Union of India with an Executive and Legislature empowered to deal with the essential subjects of external affairs, defence and communications, and the finance necessary for these services."

For the Interim Government, it was understood that no appreciable advance was made in that respect, for the Viceroy's veto was to remain unabated, and the Paramountcy over the States was not to be transferred over to the new Government, excepting that all members of the Executive Council would be Indians. It was also believed that there would be fourteen seats on the Council, out of which the Viceroy contemplated offering five each to the Congress and the Muslim League, and one each of the remaining four to the Sikhs, Indian Christians, Parsis, and other minorities

As regards the position of Indian States, the Mission proposed that the relationship between the British Crown and the Rulers of the States could not be transferred to a third party without the consent of the respective Princes concerned. But the States were expected to join the Union by sending their representatives to the Constituent Assembly in proportion to their population and participating in its deliberations, but the Rulers were to retain to themselves all subjects and powers other than those ceded to the Union.

III

On June 6, 1946, the Council of the Muslim League passed a resolution accepting the Cabinet Mission's proposals, but adding that the League would keep in view the opportunity and the right of secession of provinces or groups from the Union which had been provided in the Mission's plan by implication. Regarding the arrangements for the proposed Interim Government the Council authorised Mr. Jinnah to negotiate with the Viceroy and take such decisions and actions as he deemed fit and proper.

The Congress Working Committee met after the Muslim League's decision to accept the Mission's proposals, but it could not come to a quick decision as its members were unanimously against the Hindu-Muslim parity in the Interim Government suggested by the Viceroy. "The Viceroy proposed communal parity between Congress and the Muslim League in the composition of the Interim Government," wrote a spokesman of the Congress. "This is neither common sense, nor justice, nor equity, nor democracy, for it brings the Indian National Congress down to the level of a

communal body. The Congress contends that the question of parity with the Muslim League does not arise, since it represents 75 per cent of the population of India against 25 per cent of the Muslim League.

The refusal of the Congress to agree to the parity proposal, therefore, led to a deadlock towards the formation of an Interim Government. Negotiations between the Congress and the Viceroy prolonged over a period of 38 days, and finally on the 23th June, the Working Committee of the Congress accepted the Cabinet Mission's proposals of the 16th May regarding the new constitution making machinery, but rejected the interim proposals as suggested by the Viceroy on the 16th June, 1946.

After the formal announcement of the Congress rejection of the interim plan the Muslim League which had already agreed to form the Government, was disappointed when the Viceroy and the Cabinet Delegation declared the formation of a Caretaker Government of nine officials. This caused a great resentment among the Muslim League circles, whose President, Mr Jinnah, felt to have been double-crossed by the Cabinet Mission, and who, in the course of a statement issued on the 29th June deplored the attitude of the Cabinet Delegation and the Viceroy who had gone back on their word within ten days of the publication of their final proposals. But the Viceroy refused to entertain the idea of calling forth the Muslim League to form a one party Government, and therefore announced the formation of a Caretaker Interim Government with the promise that a fresh effort to constitute a national Interim Government

will be made as soon as the Cabinet Mission returns to England and places all facts before the British Cabinet. The Muslim League, however, declared on July 9, that "the Viceroy and the Cabinet Delegation have gone back on their word in postponing the formation of the Interim Government according to their final proposals embodied in their Statement of the 16th June and have broken their solemn pledges given in writing to the Muslim League in this connection." Therefore it was decided to convene a meeting of the Council of the All-India Muslim League at Bombay on the 28th and 29th of July, 1946, to examine the whole position afresh and decide as to what course of action be adopted under changed circumstances.

IV

On July 28, the Council of the Muslim League met in Bombay where Mr. Jinnah declared that "in the light of all that has happened during the three and a half months of constitutional negotiations and subsequent to the departure of the Cabinet Mission from India, I have come to the conclusion that the Muslim League has no other course left but to depend on its own strength and to adhere to its goal of Pakistan."

"The British Government can never be taken at their word," added Mr. Jinnah. "Within ten days, the representatives of the British Government, went back on their word. The Cabinet Mission tried its best to propitiate the goddess of the Congress and postponed the formation of the Interim Government. They have declared that the Congress had accepted the long-term proposals which is not acceptance in the real sense of the term"

"In view of the Cabinet Mission having gone back on their word on the question of setting up an Interim Government," declared Mr. Jinnah, "the League Council had to decide what steps they had to take. We have accepted the proposals—both the long term and short term, and now the vital questions are first, what are you going to do with that decision of yours? Is that decision to be scrapped or modified and in what way? The second question is what the League Council have now to say about the Cabinet Delegation and the Viceroy, who have gone back on their own word? Since the scheme of Interim Government has been scrapped, what is left is only the long-term proposals and the Council have to decide what they would now do with these. Do you want to scrap it or modify it?"

Initiating the debate, Sir Firoz Khan Noon counselled the Muslim League to keep out of the Constituent Assembly as well in the same manner. "The long-term proposals," said he, "are nothing but a trick to keep us busy quarrelling with each other for the next fifteen years. . . The British Government wants peace in India for the next four years while they are in power and the most convenient device is to keep us engaged for some time with some proposals. I plead for an understanding between the Congress and the Muslim League without which there is no use going into the Constituent Assembly. Unless we have an agreement out of court, it will be most futile, foolish and suicidal for the Muslims to go into it. We are not going there merely to be outvoted."

Sir Firoz suggested that "the best course for us

is to frankly admit that we made a mistake in accepting the Union of some sort proposed in the scheme and go back to our Pakistan ideal. The path of wisdom lies in the total rejection of the Constitutional proposals

"The Muslim League had committed a great mistake in putting its cards on the table as straight and honest men dealing with men whose words we trusted and whose intentions could not be doubted. The second mistake was when we departed from our ideal of Pakistan,—a completely Sovereign State for the Muslim India, the issue on which we fought and won the elections for it, ever since we have fallen lower and lower. If you depart from the ideal, your movement will be dead in five years

"Whatever programme we make for our future political progress, therefore, let there be one guiding beacon before us—a full sovereign, separate State of Pakistan. If at any time we felt that we were willing for a partial Union at the Centre, that was only a second stone towards Pakistan "

Giving a warning, Sir Firoz said that if the British Cabinet Ministers had gone back on their word once, they would do it again in respect of the long-term proposals. "Those very Congress threats which frightened them," he added, "will again weigh with them with regard to the Constitutional long-term arrangement. You cannot look to the present Government in Britain for the protection of your rights. That door is closed so far as we are concerned. Our future does not lie in the hands of the British "

V

After three days' deliberations the Council of the Muslim League passed two resolutions relating to rejection of the Cabinet Mission proposals and deciding to resort to *Direct Action* for the achievement of Pakistan, and calling upon Muslims to renounce the titles conferred upon them by the British Government.

These resolutions set forth that the Muslim League would resort to Direct Action for the attainment of an 'absolute, unconditional and completely sovereign state of Pakistan' but on the 31st July Mr. Jinnah, reviewing the decision of the Council of the Muslim League, made it clear that the decision of the Muslim League to resort to Direct Action was not a declaration of war against anybody. The resolution, he said, was nothing but a statement concerning the steps the League proposed to take for their own self preservation and self defence.

On the same day, the Working Committee of the All-India Muslim League set up a Council of Action to prepare a detailed scheme of activities against the Congress and the Government, and in the meanwhile, fixed August 16 as the day to observe *hartal* and to hold public meetings throughout India to reaffirm the League Council's resolutions.

VI

On August 10, with the revised decision of the Congress to accept the scheme contained in the State Paper of May 16 *in its entirety* and the Sikh Panthic Board's declaration to participate in the Interim Government as well as in the Constituent Assembly,

the tables were turned against the Muslim League which had reversed its previous decision having decided not to participate in the Interim Government or the Constituent Assembly. On August 12, the Viceroy invited the Congress President to make proposals for the immediate formation of an Interim Government on the basis of a 5-5-4 formula, i.e., Congress taking 5 seats and offering 5 to the Muslim League and 4 to the other minorities including the Depressed Classes.

On the following day (13th), Pandit Jawaharlal Nehru wrote to Mr. Jinnah, seeking the co-operation of the Muslim League in the formation of an Interim Government on the lines suggested by the Viceroy. Mr. Jinnah's reply to Pandit Nehru was "If this means that the Viceroy has commissioned you to form the Executive Council of the Governor General and has already agreed to accept and act up to your advice and proceed to constitute his Executive accordingly, it is not possible for me to accept such a position on that basis. However, if you care to meet me on behalf of the Congress to settle the Hindu-Muslim question and resolve the serious deadlock, I shall be glad to see you today (13th) at 6 p.m."

Pandit Nehru accordingly met Mr. Jinnah at his residence. The meeting, which lasted 80 minutes, ended in a failure, for the Congress proposal to form the provisional National Government on the lines suggested by the Viceroy was not acceptable to Mr. Jinnah.

The Congress, therefore, decided to go ahead with the formation of the provisional Government as a

preliminary to the Constituent Assembly, and on August 16, Pandit Jawaharlal told a press conference in Bombay "Mr Jinnah had declined to offer his party's co operation to the Congress in the formation of an immediate provisional Interim Government", and "in the circumstances, however, it is obvious that we cannot stand still because of this unfortunate lack of co operation from the Muslim League. So far as we are concerned, that door of co operation will always be open. We shall, whatever we may do, always be keeping in view this larger view point and proceed with the largest measure of co-operation,"

Pandit Jawaharlal thereafter met the Viceroy and communicated to him the provisional conclusions reached by him and the Congress Parliamentary Sub-Committee regarding the formation of an Interim Government.

On the 22nd and 23rd August again, Pandit Jawaharlal Nehru had talks with Lord Wavell regarding the personnel of the proposed Interim Government. In the same afternoon the Viceroy received from London the final approval to the Congress proposals for forming an Interim Government, and immediately thereafter the Caretaker Government sent in their resignations.

On Saturday the 24th August, the Viceroy announced the appointment of Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Dr Rajendra Prasad, Mr. Asaf Ali, Mr C Rajagopalachari, Mr Sarat Chandra Bose, Dr. John Matthai, Sardar Baldev Singh, Sir Shafaat Ahmad Khan, Mr Jagjivan Ram, Syed Ali Zaheer and Mr. Cooverji Bhabha, and two more

Muslims to be appointed later, to membership of the Interim Government. It was also announced that the Interim Government will take office on September 2.

Pleading for the Muslim League's co-operation in his attempt to make a truly representative Interim Government, the Viceroy, in his broadcast speech on Saturday night said. "Let me state clearly the offer which has been made and is still open to the Muslim League. They can propose to me five names for places in a Government of 14 of which 6 will be nominees of Congress and three will be representatives of the Minorities. Provided these names are acceptable to me and approved by His Majesty, they will be included in the Government which will at once be reformed. The Muslim League need have no fear of being out-voted on any essential issue; a Coalition Government can only exist and function on the condition that both main parties to it are satisfied. I will see that the most important portfolios are equitably shared. I sincerely trust that the League will reconsider their policy and decide to participate in the Government."

"Remember", added the Viceroy, "the Interim Government can be reformed tomorrow if the League decide to come in. Meanwhile, it will administer in the interests of the country as a whole and not of any one party or creed."

VII

While Congress took up the reins of the Interim Government and all hopes of an alliance with the Muslim League were practically lost, it was His Highness the Nawab of Bhopal who took up courage

to stand on the seemingly lost ground, and with patience and calmness brought again together Nehru and Jinnah, the heads of the two major communities—Congress and Muslim League,—to find out some means of a settlement. Thus, after three weeks' long sittings and discussions, the Muslim League on October 13, finally accepted the Viceroy's offer of five seats in the Interim Government.

With the list of nominees submitted to the Viceroy a couple of days later, the Muslim League created quite a sensation in the country, for contrary to its traditions, it had offered one of its five seats to a member of the Scheduled Caste. This looked like a counter-blow to the Congress which had offered a seat from its own quota to a Nationalist Muslim, and it was therefore suspected that the League did not want to join hands with the Congress on any co-operative basis and wanted merely to wreck the Government from within by creating fields of communal dissensions. *The Civil and Military Gazette*, Lahore, wrote on the occasion in a leading article: "Now, it seems, there will be two yard sticks by which every decision will have to be measured—the conflicting and often diametrically opposite, views of the League and the Congress. 'Islam in danger' will be the barrier to all advance suggested by Congress representatives, 'Akhand Hindustan' will be the counter-blast to League proposals. The Viceroy will add to his already mighty responsibilities that of referee in a never-ending political all-in wrestling match between the honourable members of his Executive Council." That was the sort of fear-complex generally displayed by most

people at that moment, but the Congress was in no way led away by them. It meant co-operative action, and therefore, with due consultation with the Viceroy, it reshuffled the portfolios of the Executive Councillors giving Finance, Commerce, Posts and Air, Health, and Legislative Departments to the League and set to work in right earnest.

This having been settled, all eyes are now fixed upon the forthcoming Constituent Assembly and the task of making a *new India* in the days to come.

THE TASK AHEAD¹

THE Cabinet Mission's proposals provide the following six-point basis for the formation of a new constitution for India

- (1) There would be a Union of India embracing both British India and the States which should deal with Foreign Affairs, Defence and Communications, and should have the power to *raise finances for these subjects*
- (2) The Union should have an Executive and a Legislature constituted from British India and States representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting
- (3) All the subjects other than the aforesaid ones, also residuary powers should vest in the Provinces.

¹ This Chapter is identical with Chapter VIII of Author's *The Constituent Assembly, Lahore (1946)*

INDIA'S STRUGGLE

- (4) The States will retain all subjects and powers other than those ceded to the Union.
- (5) Provinces should be free to form groups with executive and legislatures and each group could determine the Provincial subjects to be taken in common.
- (6) The constitutions of the Union and of the groups should contain a provision whereby any Province could by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years and at ten yearly intervals thereafter

The composing of constitution is a huge task, for it involves the responsibility of drawing out a new political order to solve the complicated problems existing in the country. It is, therefore, essential that the constitution-making body should besides commanding the widest sanction of the masses, represent persons of outstanding ability and merit in the country who may be capable of leading the entire body in evolving a workable constitution.

The principal aim of our Constituent Assembly should be,—*politically*, to secure the transfer of the administration of the country into the hands of the representatives of the people, *economically* to increase their working power and their capacity for production of commodities and income and *socially*, to build up in every region in every corner of the country a reasonable standard of subsistence, rest, recreation and adventure which the advance of science and past

experience of progressive nations have placed at the disposal of every active and wide-awake people ¹

For this purpose, therefore, it is essential for the Constituent Assembly to find out as a model some successful constitution concerning a country like India having different races and communities, for the framers of almost all modern constitutions have been to a very great extent influenced by political systems belonging to times and climes other than their own. We have thus for our purpose two modern constitutions of Switzerland and U S S R, which appear to have successfully solved problems strongly resembling those of India to day. Switzerland has a population belonging to three different racial and linguistic groups of Europe—French, German and Italian, forming the majority besides sections speaking a number of dialects. Geographically these groups are separated from each other by the cantonal boundaries, culturally, they are distinct from each other, and religiously they are overwhelmingly different from one another, yet in spite of all these differences they have developed an unparalleled national unity and an unrivalled fraternity among themselves. This concept of the State is based upon two essential elements,—the idea of the People's Government which is the democratic principle, and the idea of the Political Nation supreme over nationalities. But the Swiss analogy may not perhaps be conclusive for a vast country like India with far great and complex problems involving her. The example of Russia may, therefore, perhaps serve our purpose

¹ *Of Sir M. Visvesvaraya, Reconstruction in Post War India (Bombay, 1944) p 1, ff*

better, because there the constitution-makers have successfully welded together no less than 170 different nationalities and ethnic groups speaking something like 147 different languages and dialects into a solid phalanx of the Union of Socialist Soviet Republics consisting of 22 autonomous units. These units enjoy perfect freedom within their respective boundaries each having their own constitution and financial resources and vesting in the Union Centre only such powers as are essential for maintaining the unity and strength of the country, i.e., defence, foreign and affairs, trade and transport, currency and banking, etc. The Russian example of harmonising the complexities of different units may, therefore, be of special interest to our constitution-makers in the forthcoming Assembly.

II

The Constituent Assembly, as soon as it meets in December and decides the general order of business including election of a *Chairman* and other office bearers, will lose no time in drawing up a constitution with the help of an *Advisory Committee* on the rights of citizens, minorities and tribal and excluded areas fully representing the affected interests. This Committee will according to Para 20 of the Statement report to the Assembly upon the list of Fundamental Rights, the clauses for the protection of minorities, and the scheme for the administration of the tribal and excluded areas. A formal constitution will then be drawn up by a group of experts to be appointed by the Assembly. These experts need not be members of the Constituent Assembly, for the aim should be to select people of outstanding merit and qualification who

may be capable of reconstructing the political system. In most cases the real authors of a constitution in modern democratic countries have been persons having no connection whatsoever with the Constituent Assembly. This body of experts will have its deliberations *in camera* and will, if necessary, appoint a special Committee for the study of various problems, and also perhaps arrange a co-ordinating Committee to organize the work of the various Committees and help it in drafting a formal constitution. The Assembly will then study, discuss and debate either openly or in secret the draft constitution in the light of necessary considerations before putting it finally to vote. Among other things the Assembly may as well consider the provisions about the division of power between the Centre and the Provinces, the Fundamental Rights of individuals, the protection of the minorities, the emancipation and enfranchisement of tribal and excluded areas and the policy towards the States.

As regards division of power between the Centre and the Provinces, it is essential that the Constituent Assembly should draw out a list of subjects and sources of revenue required for the Centre *before* the Provincial representatives divide up into three sections to settle the Provincial and group constitutions, as well as to decide about the subjects to be dealt with by the Provinces and the groups. This is very essential because according to Para 19 (vi) the Union Constitution is to be made only after the Provincial and group constitutions have been framed, and so if this question is taken after the said constitutions are drawn up, it will prevent a fair consideration of the needs of the Centre.

Besides, since there are three groups and eleven Provinces the necessary uniformity in determination of the Union subjects and sources of revenue is not likely to be maintained ¹

The importance of the point may be further viewed in the light of Para 15 (1) of the Statement wherein the Union is recommended to deal only in Foreign Affairs, Defence and Communications, but these three subjects actually come under some twenty heads of the Government of India Act of 1935. It is therefore indicated that *prima facie* the order of business in the Constituent Assembly outlined in Para 19 (iv, v, and vi) can be changed by a majority vote, because this does not fall as a major communal issue for which a majority vote of each of the two major communities is required for alteration as specified in Para 19 (vi).

Besides above considerations, the Constituent Assembly may as well see that the constitution satisfies the following tests :

- (1) that there should be no room for autocracy either at the Centre or in the units. The legislatures should have no right to prolong their lives, nor the executives to refuse to summon legislatures, nor should there be any person, president, Governor or judge who cannot be impeached and removed if he is proved treacherous or corrupt. Similarly, autocracy of parties should be prevented by making the hasty change of constitution difficult providing fool-proof guarantees for

1. Cf Dr A Appadorai's letter in *Statesman*, dated 14th August, 1946

- free formation of new political parties .
- (2) that there should be no constitutional protection for the right of exploitation so that *nationalisation may not become the shield of vested interests like the right of property* ,
 - (3) that there should be no discrimination between Indian and Indian for the practice of recognising distinctions of birth, religion, community and caste as entitling individuals to special treatment irrespective of special handicaps is so pernicious that it must be stopped if any kind of reasonable polity is to be established in the country, and
 - (4) that the constitution should be designed to discourage legal coercion and use of force against individuals and groups. In the same way, it should be made as difficult as possible for the Central Government to indulge in sabre rattling towards our neighbours or plunge the country into war in pursuit of aggressive or imperialistic aims ¹

As regards the Fundamental Rights of individuals, the Constitution should contain a declaration of freedom of thought including religion, culture and language, equality of political rights and equality before the law in order to inspire a sense of security among the masses especially the minorities in the Union as a whole or in the Provincial units or groups. A list of such rights was drawn out by the Congress at its Karachi Session in 1931 in the form of a Resolution on

1. Cf K Santhanam in *Hindustan Times*, dated 28th July, 1946

Fundamental Rights which was later revised and approved finally by the Working Committee of the Congress in 1945¹ as under :

"The Constitution shall provide for fundamental rights, among them the following :

- (1) Every citizen of India has the right of free expression of opinion, the right of free association and combination, and the right to assemble peacefully and without arms, for a purpose not opposed to law or morality.
- (2) Every citizen shall enjoy freedom of conscience and the right freely to profess and practise religion, subject to public order and morality.
- (3) The culture, language and script of the minorities and of the different linguistic areas shall be protected.
- (4) All citizens are equal before the law, irrespective of religion, caste, creed or sex.
- (5) No disability attaches to any citizen by reason of his or her religion, caste, creed or sex, in regard to public employment, office of power or honour, and in the exercise of any trade or calling.
- (6) All citizens have equal rights in regard to wells, tanks, roads, schools and places of public resort maintained out of State or local funds, or dedicated by private persons for the use of general public.
- (7) Every citizen has the right to keep and bear arms, in accordance with regulations and reservations made in that behalf.

1. Cf., Original Declaration on pp 121-23 *ante*

- (8) No person shall be deprived of his liberty, nor shall his dwelling or property be entered, sequestered, or confiscated save in accordance with law.
- (9) The state shall observe neutrality in regard to all religions.
- (10) The franchise shall be on the basis of universal adult suffrage
- (11) The state shall provide for free and compulsory primary education
- (12) Every citizen is free to move throughout India and to stay and settle in any part thereof, to follow any trade or calling, and to be treated equally with regard to legal prosecution or protection in all parts of India.

"The State shall further provide all necessary safeguards for the protection and development of the backward or suppressed elements in the population, so that they might make rapid progress and take a full and equal part in national life. In particular, the State will help in the development of the people of the tribal areas in a manner most suited to their genius, and in the education and social and economic progress of the Scheduled Classes "

This declaration of the Fundamental Rights may be included in the Constitution, for it will specifically guarantee to the minorities 'the provision of educational facilities, the use of minority language as media of instruction, the distribution of public funds for educational and charitable purposes, the assuring of the right to establish, manage and control charitable, educational,

social and religious institutions, the maintenance of family law and personal status in accordance with the usage of the groups concerned, and the assuring of the use of all roads, streets, tanks, etc., to every citizen, irrespective of race, religion, or caste.' In drawing out the Declaration, the members may with benefit consult the Declarations and Minority Treaties drawn under different constitutions of the world, like the U.S.A., Switzerland, Czechoslovakia, Belgium, Irish Free State, the Polish Republic, the Weimar Republic, the Turkish Republic, and the U.S.S.R.

A Treaty of peace and concord between the Hindus and Muslims of United India may further be drawn up under the new Constitution on lines similar to the Minorities Treaties of the European countries. This will, to a very great extent, redress the grievances of the two major communal bodies in the country. A 'Communal Formula' may be evolved upon the basis of the Muslim grievances enumerated in the *Purpur Enquiry Committee Report* of the Muslim League to serve as a ground for the framing of the said Treaty. It will deal roughly with the following main points :

- 1 Cow Sacrifice and Cow Protection.
2. The *Azan*—the Muslim Call to Prayers.
- 3 Music before the Mosques
4. The Language Question—Hindi versus Urdu
5. The National Anthem
6. The National Flag
7. Inter-Communal Social Intercourse.

Like the Minority Treaties of the European countries, such a treaty may be kept under the supervision

of a body like the U N O , or the Supreme Court of India which may be empowered to declare *ultra vires* any legislative statute or executive act which contravenes the terms of the treaty. This will greatly ensure the sense of security amongst the minorities in the country.

Next, all matters peculiar to particular communities, like personal law, and social customs, religious establishments and places of worship, language and literary traditions, and the cultural elements of education should not be the subject of legislation by the Central, Provincial or group assemblies, and be the province of special bodies, each representative of one cultural group.¹

Further, the Legislatures should adequately reflect the opinions of minorities, and the Standing Orders for their proceedings should provide reasonable opportunities for the effective presentation of minority point of view. Lastly, as per Para 15 (2) of the State Paper it may be provided in the Constitution that any Bill raising a major communal issue religious, social or cultural, should be passed only by a majority of the representatives present and voting of each of the two major communities, as well as by a majority of all the members present and voting.

As regards the tribal and excluded areas, a new Frontier policy should be evolved to bring peace and prosperity amongst the tribesmen and settle permanently the tribal troubles which will ultimately stem the huge drain on the Central Exchequer and ensure the

¹ Vide Dr A. Appadorai, *Democracy in India* (O U P . 1944), p 15 ff

security of the country. Such a policy should be chalked out on the basis of the economic reconstruction of the tribesmen by removing illiteracy and poverty from amongst them and by making them happy and contented within their own areas. Besides social, economic and educational uplift of these areas, the policy should also provide means of cultivating the goodwill and friendship of the tribes by reorganizing them into a Union under common popular administration. That will not only remove the long standing trouble of the Frontier unrest, but will, on the other hand, turn it into a source of power and protection to the country.

The settlement of the position of the Indian States and their relation with the Indian Union will be one of the most important questions to be solved by the Constitution. The old Paramountcy of the Crown over the States will have to be abolished and new arrangements will have to be entered into by the Indian Union with them and a Treaty or Treaties between the Union and the States or group of States will have to be negotiated.

III

The framing of a constitution comes as a rule after a successful rebellion and dispossession of the existing Government by a new group of people in a country. According to this procedure, the duty of the Indian Constituent Assembly would have been first to negotiate a treaty with the British and thereafter frame a constitution according to its conception when the alien power is withdrawn and the Country is free of all the

vested interests of the foreigner. But, as the following pages will amply justify, the present political and economic conditions permit the negotiation of such a treaty only *after* the framing of a successful constitution by the Indian Constituent Assembly.

It is generally believed that Britain is anxious to conclude a treaty of friendship with India for providing for their future before withdrawing their power from the country, because the British Statesmen and the British public are disinclined to part with the powers and privileges which their predecessors and themselves have for so long enjoyed in this country. These powers and privileges fall practically under four heads:

- (1) Market for British goods
- (2) Privileges of supplying the Defence Services of India with officers and men and with armaments, warships, aircrafts, etc
- (3) Providing occupations in Civil employment, and
- (4) Control or regulation of industries, trade and communications in India.¹

This appears to be true to a very great extent, but the present day position of India compels us to offer these privileges to the British and have an alliance with them on a long term basis. There is no other alternative left to us. In a recent publication,² Mr. K. M. Panikar, who has drawn out a basis of such a treaty, conclusively proves that the present state of

1. Sir M. Visvesvaraya, *Op. Cit* pp 15-16

2. K. M. Panikar, *The Basis Of An Indo-British Treaty*, (Indian Council of World Affairs, New Delhi, 1946)

affairs permit the negotiation of an Indo British Treaty for an equal and perpetual benefit of both the Indian and British people. The following is a summary of his notable account which logically proves the necessity and importance of such a treaty, and should therefore serve as a good background for drawing out the document.

I The Necessity of An Indo-British Treaty

A long-term agreement between England and India which would necessarily limit the initiative of both and tie them together in a partnership which might not be welcome to either, is in the interests of Indians themselves, and there is no better alternative open to them. Equally, the British people have to be satisfied that they have no better alternative for safeguarding their position. The inescapable necessity of such a treaty is, therefore, the first thing to be demonstrated.

In order to answer these questions, it is necessary to consider some of the more important factors in the world situation today. That situation has now assumed a pattern which obviously necessitates a reconsideration of political systems which have come down to us.

The organization of the heart of the Eurasian Continent by U.S.S.R., in an unprecedented unity and strength, covering the area from the Pacific to the Adriatic and the Baltic, and from the Arctic Ocean to the Himalayas, has rendered the State system of the past three hundred years completely out of date. The continental system of Europe, based on a fair equality of strength between two or three great powers, in whose rivalries and jealousies other States found

opportunities of survival, has vanished beyond recall. It is only the maritime States of the Rimland of the Eurasian Continent that remain outside the orbit of the great continental organization of Russia.

The survival of this Rimland, which extend from Britain to Indonesia, depends on its organization as a close alliance of maritime States. Such an alliance means the creation of a Western bloc in Europe with Great Britain in the centre and an organization of the Indian Ocean area with India as its centre. The political independence, economic organization and military strength of India are, therefore, of *primary world interest*.

(a) British Interest in the Treaty

The maritime areas of the Eurasian Rimland can only be organized with the assistance of a large land mass which is oceanic in its interests, and which can be made reasonably safe from all powers. Such an organization is possible only on the basis of an Anglo-Indian Treaty. With the great land area of India organized to a high pitch of industrial efficiency at one end and the most up-to-date and efficient naval and air power of Great Britain at the other, the entire maritime area can only be kept together. There seems to be no other way out. From the point of view of Britain, the necessity of an Indo-British alliance is clear. Without it, her position in world politics will be untenable.

(b) Indian Interest in the Treaty

India will inevitably fall within the orbit of Russia without such an alliance. In the organization of a Maritime State System, on the other hand, India

will be one of the pivotal areas. From the continental point of view of Eurasia, she is only an abutting corner, walled off by impassable mountains, but from the sea and air points of view, on the contrary, she is one of the great strategic centres. From the maritime point of view, she dominates the Indian Ocean, and from the air point of view, she is claimed to be an *air island*. She is the natural air-transit centre of the maritime areas. Thus, while to the continental system, India is unimportant, to the Maritime State System, she is invaluable. Therefore, it goes without saying that India's true interest lies in the capitalization of her natural and positional importance, and not in being absorbed within an orbit where she will not count. She can ensure future peace and work out her destiny as a great power only in such an alliance.

II. The Object of the Treaty :

The object which the Treaty should be designed to secure can be briefly defined as the freedom of Britain and India, the maintenance of the full independence of the parties and the mutual support for all action necessary.

As stated above, India possesses geographical and strategic advantages essential for the security of the Maritime State System, but, compared to the great industrial powers, she is undeveloped industrially and lacking in organized efficiency. It is, therefore, necessary that Britain should, in her own interests, as well as in the interests of India, give her the necessary assistance to remove these weaknesses in her in as short a period as possible and hold her to rise to the stature of a first-class industrial nation.

III. The Substance of the Treaty

(1) A permanent *Technical Mission*, which will co-operate with India's Industrial General Staff in the planning and development of the structure of Indian industry in all its aspects, may be deputed to India

(2) All British vested interests in India should be liquidated. These have been calculated to be no more than 600 million pounds, and their acquisition by India will, without any loss to Britain, end all the suspicion of British exploitation. Nor would these steps mean any financial loss or fall in prestige to England, for a better and more equal association can be more profitable in every way. In fact a prosperous, free and contented India has much to offer to Britain in the way of industrial prosperity, because with the programme of industrialization, scientific agriculture and development of large-scale communications which is now being contemplated, her potentialities as a purchasing country will greatly increase, and the volume of her trade with Britain will continuously increase and may well become the basis of Britain's industrial and commercial revival.

(3) Industries having a direct bearing on defence, like the chemical industry, aluminium production, and motor and aircraft industries, should be inter-linked with the respective British industries, and should share in research for continuous improvements and modifications.

(4) Closely connected with the development of industry is the maintenance of scientific research. In all countries much of the research done is by pooling the results of work. It is, therefore, necessary that in

order to bring India's scientific work on the highest level, she should maintain the closest and most intimate relations with the British research.

(5) Creation of wide-spread industrial and technical efficiency is one of the immediate necessities of India, but besides a short-term policy of industrial and technical training in British factories and other establishments on a large-scale, an enlarged "Bevin Scheme" for a period of ten years in every sphere of industry should be put in work in order to produce the necessary basic personnel.

IV The Nature of the Treaty

The nature of the long-term agreement has to be both political and military. Politically, it must provide for an association of at least 30 years during which time in defined spheres, Britain and India will agree to follow identical policies. It may be asked how such an identical interest can be postulated between two independent countries. The answer is fairly obvious. *Both England and India for the next generation at least have only one power in relation to which they have to define their policies.* With the annihilation of German power in Central Europe, and the consequent shrinking of the continental nations of Western Europe, everything will revolve round *Russia*, at least for a generation. The destruction of Japan's power and the failure of China to organize herself into a great power, again leaves only one power in Asia,—*Russia*. The foreign policy of India must therefore, be dominated by the geographical facts of *Russia's* empire. 'Under the circumstances, the problem of India and that of England are the same. It is the organization of a

Maritime State System—of a Western European bloc for England and of an Indian Ocean bloc for India which should form the political and military basis of the Treaty and the creation of the necessary machinery for maintaining the identity of policy and of the force required to back it up.

V. The Area of Operation :

The growth of air-power has brought about radical changes in geographical conceptions. India, as said above, is almost an "air-island", i.e., it is an enormous land mass which can be made self-sufficient for war, whose land boundaries are protected by impassable mountains, and whose sea-boundaries are of adequate extent to give her depth in defence against air attack. But India becomes an air-island only if, for purposes of defence, on the one side Burma and Malaya are included within the scheme, and if, Thailand and Indo-China are "included in her air boundaries", and Afghanistan, Iran and Iraq are brought into the system on the other side. That is, the Indian *area of defence* should extend from Aden to Singapore and from Basra to Batavia in order to protect the Indian Ocean and continental routes and to keep the area secure against encroachment.

The defence of these areas has to be declared as one of the objects of the Treaty. The area of Indian defence should include all maritime interests on this side of Suez and should extend to the Netherlands East Indies. The independence and integrity of the countries within this area including Iraq, Iran, Afghanistan, Thailand and Indonesia should be a fundamental article of the political Treaty between England and India. A

joint declaration of common interest in this area—an Indo-British 'Monroe Doctrine' for the Indian Ocean region with a good neighbour policy towards the units—should be the first fruits of the alliance.

The Indo-British Treaty in the wider aspects of its organization can therefore justifiably be considered as a part of the world security scheme. It is an organization for peace based on the independence of Eastern nations. It is a scheme for the collaboration of races, as the basic assumption of the Treaty will be intimate and continued co-operation on an absolutely equal footing between India and England. More than that, it will be the basis of a new civilization which will transform the present vacuum in South-East Asia into a great centre of dynamic power with its living standards improved, with its national efficiency raised to a high pitch, and with its present colonial economy transformed into a balanced economy of industry and scientific agriculture. For all this, the independence of India is an essential prerequisite.

VI. Machinery for the Working of the Treaty:

The success of the Indo-British alliance necessarily depends on the creation of a suitable joint machinery in such cases where common action becomes necessary. That will necessarily mean the improvisation of joint institutions for co-operation in military, industrial, scientific and economic fields. The character and structure of such a machinery will be as under :

(a) *Defence of India :*

- (i) The organization of Indian defence forces must necessarily be the concern of India, but an alliance requires that the forces of the

allies must be maintained at certain specific minimum *strength* that they should have an agreed *composition* necessary for the purpose of the alliance, and that their *training and organization* should be such as to ensure the requisite efficiency. The Indian General Staff will, at least in its early stages, maintain in India a combined military, air and naval Mission which will secure these three essential conditions. A free Indian Government without outside help can certainly raise a very large army, but number without the proper composition and training is of but little importance.

- (ii) The composition of the army has become a matter of the application of science to war, and the problems of warfare have to be thought out afresh in terms of airpower and inconceivably powerful weapons which came into use during the second World War. Therefore, it is essential that a Military Mission should have a Scientific Mission attached to it which will work hand in hand with an Indian Scientific General Staff. The Scientific Mission in India will be mainly advisory, helping to fill up the gaps that exist, pooling work done elsewhere, and utilizing it in industries necessary for peace and war.
- (iii) A national planning of Indian industry is an essential aspect of this alliance, for without an active and adequate industrial utilization

of India's resources and development of India's strength as an industrial power, India cannot become an effective partner in the scheme. Therefore, industries having a direct and immediate bearing on defence, like the production of air-craft and motor vehicles, development of the resources like thorium and vadamium, etc., should get the advice and co-operation of the Technical Mission suggested in Section III above.

(b) *Security of India*

Apart from the Indo-British machinery necessary for the purpose of developing the strength of India in these spheres, a joint machinery for the defence of the Indian Ocean area will also have to be created. This can best be done by the organization of a *Regional Security Council* under the United Nations Charter. It will further involve the creation of a separate General Staff directly responsible for coordinating the defence arrangements of the area. As Britain's obligations on sea and air in this area will continue to be large at least till such time as India develops her own independent strength, it is clear that the Indian Ocean Command should be on a basis of equal co-operation between England and India, strengthened by the association of other States directly concerned like Iran, Afghanistan, Burma, Siam and Indonesia. Whatever the forms, the obligations will mainly rest on India and Britain,—India for the reason of her man-power, resources and strategic position, and Britain for the weight of her power on sea and air and the scientific and technical leadership which she

possesses. Therefore, the Indo-British Treaty has to provide also for the creation of this joint machinery. Such an organization is obviously possible only on the basis of the most intimate Indo-British co-operation, and it is for England and for India to decide whether they are fit to shoulder the responsibilities which nature has placed on them

IV

The functions of the Constituent Assembly do not cease with the formation of a new Constitution and negotiation of a successful Treaty. It will be required further to tackle immediately the grave and far-reaching problems of food and cloth famines, strikes and communal troubles now rife in the country before taking up the longer and more extensive programmes of economic and industrial reconstruction, education and health, and agriculture and irrigation. It will provide for the reconstruction of the Government on the new basis and will rebuild Indian nation on enduring foundations of peace, prosperity and happiness and not of war, aggression or devastation

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